

CALIFORNIA COASTAL COMMISSION

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May 29, 2001

TH17d

TO: Commissioners and Interested Persons

FROM: Deborah Lee, South Coast District Director
Teresa Henry, South Coast District Manager
Stephen Rynas, Orange County Area Supervisor

**SUBJECT: City of Huntington Beach Local Coastal Program Amendment 3-99
(Coastal Element Update)**

SUMMARY OF STAFF REPORT

DESCRIPTION OF THE SUBMITTAL

On December 29, 1999 the Commission received from the City of Huntington Beach Local Coastal Program Amendment (LCPA) 3-99. This Local Coastal Program principally affects the certified land Use Plan (Coastal Element) for the City of Huntington Beach (City) and proposes to amend the City's certified Coastal Element in its entirety with and updated Land Use Plan. This Coastal Element Update was approved through Resolution No. 99-98 by the City Council on November 15, 1999.

Besides updating the Coastal Element, the City proposes to delete the zoning district maps not within the coastal zone from the City's certified Local Coastal Program. When the City submitted its Zoning Code update to the Commission for certification in 1995, it submitted the entire Zoning Code and forty (40) zoning distinct maps. Of the forty zoning district maps, twenty were outside the coastal zone. This has resulted in the submission of local coastal program amendments to the Commission for certification of revisions to the district zoning maps for areas outside of the coastal zone. The City now seeks to delete the twenty (20) zoning district maps that are outside the coastal zone from the City's certified LCP. Consequently, changes to the district maps for areas outside of the coastal zone will no longer require that an amendment to the City's certified LCP be obtained.

The City of Huntington Beach has six (6) Specific Plan areas. These Specific Plans are part of the City's certified local coastal program. The six specific plans are: 1. Downtown Specific Plan, 2. Palm and Goldenwest, 3. Holly-Seacliff (portion) 4.

Huntington Harbour Bay Club Specific Plan, and 5. Magnolia/Pacific, and 6. Seacliff. This local coastal program amendment will not have any effect on these Specific Plans.

This Coastal Element Update will not have any effect on the Metropolitan Water District Area of Deferred Certification. The forty (40) acre Metropolitan Water District site will remain an Area of Deferred Certification. The site is now owned by Shea Homes (a residential developer) and is located near the intersection of Graham and Kenilworth in the City of Huntington Beach.

SUMMARY OF STAFF RECOMMENDATION

This LCP amendment affects both the Land Use Plan and the Implementation Program. Commission staff recommends that the Commission **DENY** the proposed Land Use Plan Amendment (Coastal Element Update), as submitted, and **APPROVE** the proposed Land Use Plan Amendment (Coastal Element Update) as revised by the suggested modifications. As submitted the land use plan amendment is inconstant with various Coastal Act Policies pertaining to land use development standards, promoting public access, the protection of the marine environment, the protection of environmentally sensitive habitat, visual resources, coastal dependent industrial development, and cultural resources.

Commission staff recommends that the Implementation Program Amendment be **APPROVED**, as submitted. The motions to accomplish this begin on Page 12.

ANTICIPATED AREAS OF DISCUSSION

Though Commission staff has endeavored to reconcile this Local Coastal Program Amendment (Coastal Element) with the requirements of the Coastal Act, the City's planning objectives, and the comments of the public; outstanding issues of discussion may remain. The following topical areas below summarize where the Coastal Element, as submitted, is not in conformance with the Coastal Act.

WATER QUALITY: The policies of the Coastal Element relative to water quality do not conform with Sections 30230 through 30236 of the Coastal Act. To bring these policies into conformance, the Water and Marine Resources Section (beginning on page 101) has been revised through the addition of polices to assure that coastal waters are not degraded from urban runoff. Modifications to City policies principally relate to adding text, which clarifies that best management practices are to be implemented.

The Water, Sewer, and Drainage Facilities Section (beginning on page 137) has been modified to add a new policy which requires that new sewer systems or substantial

improvements will incorporate monitoring systems to verify the operational integrity of the system and to shut it down in the event of a detected failure.

PUBLIC ACCESS: The Coastal Element, as submitted, is not in conformance with the Public Access and Recreation policies of the Coastal Act, Sections 30210 through 30224. Two principal concerns have been identified in terms of public access. First, is the contemplated widening of Pacific Coast Highway. The widening of Pacific Coast Highway, if carried out, will result in the loss of on-street public parking which is immediately adjacent to the beach. Policy C 2.1.2 (see Page 56) addresses how the City proposes to replace any parking lost as a result of widening Pacific Coast Highway. This policy has been brought into conformance with the Coastal Act by requiring that replacement parking be provided before or concurrently with the loss of parking on Pacific Coast Highway, to provide safe pedestrian access across Pacific Coast Highway, and to require that the replacement parking be in close proximity to Pacific Coast Highway.

The second concern with the Coastal Act relates to the potential for a preferential parking district. Preferential parking districts, if not properly regulated can have an adverse impact on coastal access by depriving the public of the ability to use public streets for parking near the ocean. Policy 2.4.5 (see Page 63) would allow the creation of a preferential parking district. As submitted this policy does not provide any assurance that public use of public streets for coastal access are protected. This policy has been brought into conformance with the Coastal Act through a modification to prohibit the implementation of any preferential parking district that adversely affects public coastal access.

Additionally Policy C 2.6.2 (see Page 67), which provides the standards for acquiring public lateral access has been revised to bring it into conformance with the Coastal Act. As submitted, this policy allows a fifteen (15) foot privacy buffer; but does not contain any additional setback provisions for allowing lateral public access. This policy has been modified to require a twenty-five foot setback to allow for both lateral public access and a privacy buffer. Another lateral access clarification to Policy C 2.6.2 relates to when a property is recycled. As submitted, this policy would only require an offer of dedication to be pursued in cases where development was occurring on vacant land. This policy has been modified to state that an offer of dedication can be pursued when redevelopment of the property is proposed.

OFFSHORE OIL AND GAS DEVELOPMENT: Offshore oil and gas development has been a controversial issue for coastal communities due to the potential for an accident that could result in an oil spill. As submitted, the Coastal Element contains two policies mandating that the City oppose offshore oil and gas development. Sections 30260 through 30264 of the Coastal Act allow coastal dependent industrial development. Therefore, as submitted, the Coastal Element policies regarding offshore oil and gas development are not in conformance with the Coastal Act. To bring the Coastal Element

into conformance with the Coastal Act, Policy C 4.7.7 (see Page 95) and C 8.3.8 (see Page 132) have been revised to conform to Sections 30260 through 30264 of the Coastal Act since coastal dependent energy development is an allowable use. Furthermore, pursuant to Section 30519 of the Coastal Act, the City lacks jurisdiction over development occurring in coastal waters. However, any related onshore development would still be under the purview of the City. The revision of these two policies will not affect the ability of the City of Huntington Beach to express its concerns regarding offshore oil and gas development as the City will still be able to make its position known through the CEQA and NEPA processes, Federal and State permitting processes, and by resolution and legislative involvement.

TELECOMMUNICATION FACILITIES: The recent and rapid proliferation of personal wireless telephones has resulted in a similar proliferation of wireless telecommunication facilities. The telecommunication facilities have the potential to adversely impact scenic resources due to their height. Section 30251 of the Coastal Act mandates that development be sited and designed to minimize adverse impacts to visual resources. The Coastal Element, as submitted, did not contain any policies to regulate these facilities. Therefore, the Coastal Element, as submitted, is not in conformance with the Coastal Act. To bring the Coastal Element into conformance with the Coastal Act, in terms of the protection of visual resources; two new policies have been added (see Page 90) to address this concern. Consistent with Coastal Act Section 30251, telecommunication facilities are to be sited and designed to minimize impacts on scenic resources. Further, if located near parks and natural areas, the facilities will be conditioned to have the structures removed within six months of ceasing operation and restoration of the site.

HISTORIC AND CULTURAL RESOURCES: Section 30244 of the Coastal Act mandates that when development adversely impacts archaeological or paleontological resources that adequate mitigation be provided. To bring this section of the Coastal Element into conformance with the Coastal Act, the policies of the Historic and Cultural Resources Section (see Page 97) have been modified to provide additional specificity regarding the preparation of archeological research designs and how human remains are to be treated.

MIXED USE DEVELOPMENT: Mixed use development (see Page 33) can be a beneficial land use designation, if properly planned, as it would allow for a variety of uses. For example conventional zoning may be inadequate to implement development proposals which encourage alternate forms of transportation and pedestrian orientated development that would lessen adverse impacts on the environment resulting from automobile-oriented land use patterns of development.

The Coastal Act promotes visitor serving and coastal dependent uses over other uses such as residential and general office uses. However, as submitted, Coastal Element policies relative to the mixed-use designation do not acknowledge Coastal Act mandates

relative to land use as specified in Section 30222 of the Coastal Act. Therefore, as currently worded, there is no guarantee that this land use designation would result in any visitor serving or coastal dependent land uses. Furthermore, the Commission recognizes that it may not be suitable to require visitor serving or coastal dependent uses on inland portions of the City, even if they are in the Coastal Zone. For these reasons the Mixed-Use designation, as submitted, by the City is not in conformance with the Coastal Act.

To resolve this concern and bring this section of the Coastal Element into conformance with the Coastal Act, the mixed use land use policies have been modified to recognize the need for visitor serving commercial uses and that the exact mix of development will be approved through a specific plan. Additionally, since there are three mixed use development categories, the proposal for a mixed use overlay (MU) is being suggested for deletion (see Page 48) as it is redundant.

ADDITIONAL INFORMATION

For further information, please contact **Stephen Rynas** at the South Coast District Office of the Coastal Commission at: **562-590-5071**. The Coastal Element Update, which is an amendment to the City of Huntington Beach LCP, is available for review at the Long Beach Office of the Coastal Commission or at the Department of Community Planning Department for the City of Huntington Beach. The City of Huntington Beach Department of Community Planning is located at 2000 Main Street, Huntington Beach, CA 92648. **Mary Beth Broeren** is the contact person for the City's Planning Department, and she may be reached by calling **714-536-5550**.

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Exhibit Listing (attached to the end of the staff report)

Exhibit 1 – Resolution No 99-98	
Exhibit 2 - Land Use Plan	
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Exhibit 4 – City Letter of May 14, 2001	
Exhibit 5 – Table C-1, Coastal Element Land Use, Density, and Overlay Schedule	
Exhibit 6 – Table C-2, Coastal Element Community District and Subarea Schedule	

UNDER SEPARATE COVER (not attached the staff report)

Exhibit 7 – Coastal Element, Dated November 15, 1999	
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I. EXECUTIVE SUMMARY

The Coastal Element, which is the subject of this submission, was approved through Resolution No. 99-98 by the City Council on November 15, 1999. It was submitted to the Commission on December 29, 1999. The proposed amendment was subsequently deemed incomplete by Commission staff and was completed on June 30, 2000. The Commission granted a one-year extension for Commission action on September 13, 2000 pursuant to Section 30517 of the Coastal Act. The Commission must act on this submittal no later than September 28, 2001.

The amendment affects both the Land Use Plan and the Implementation Program of the City's certified LCP. The City of Huntington Beach proposes to replace its 1985 Coastal Element (Land Use Plan) in its entirety with a new Coastal Element. The purpose of this update is to bring the Coastal Element into conformance with the City's General Plan. The new Coastal Element, as submitted, is **NOT** attached to this staff report due to its size but is under separate cover as Exhibit 7. The new land use maps are attached to this staff report as Exhibit 2.

The topical issue areas raised by the new Coastal Element with the Coastal Act and evaluated in this staff report were summarized beginning on page 2. The topical issues relate to: Water Quality, Public Access, Offshore Oil and Gas Development, Telecommunication Facilities, Historic and Cultural Resources, and Mixed-Use Development.

One effect of the Coastal Element (Land Use Plan) update, as proposed by the City, has been a revision to the land use designations. In general, the changes to the land use designations are not significant. For example, "Low Density" residential development under the 1985 Coastal Element is being replaced by "Residential Low (RL)" under the new Coastal Element. Though most of the changes proposed by the new Coastal Element are not significant, the suggested modifications add specificity to the uses allowed in each of the proposed land use categories. For example, the "Commercial Visitor (CV)" land use designation has been enhanced to clarify that marine and coastal dependent developments have priority in this land use category.

Another effect of the Coastal Element (Land Use Plan) update, as proposed by the City relates to the policies themselves. Under the 1985 Coastal Element, the policies contained embedded narrative text. Under this submission, the City has removed the associated narrative text. Furthermore, the section of the Coastal Element containing the land use policies now also contains "Goals" and "Objectives". The Goals and Objectives serve to add context and guidance for the policies; but are not in themselves mandatory policies. Consequently, suggested modifications to the Goals and Objectives have been minimized. Along this line, background narrative text has also not been revised. Consequently, the City of Huntington Beach will need to revise any background text,

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Goals, and Objectives, which may not conform to the suggested modifications made to the policies of the Coastal Element.

To bring the new Coastal Element into conformance with the policies and standards of the Coastal Act, suggested modifications have been made. The suggested modifications focus on six areas of concern: Water Quality, Public Access, Offshore Oil and Gas Development, Telecommunication Facilities, Historic and Cultural Resources, and the Mixed Use Land Designations (summarized beginning on page 2). The land use suggested modifications begin on page 22.

The new Coastal Element has also added a new section titled "Implementation Programs". This section is not meant to serve as or replace the City's current Implementation Program. Instead, this section is meant to serve as guidance for how the policies of the Coastal Element are implemented. For example, I-C 7 (see page 148) describes how design and development review is to be conducted. Though the Implementation Programs chapter provides guidance it is nevertheless deficient as it does not require conformance with the policies and standards of the LCP. For example, I-C 19 (see page 159) requires conformance with the City's Historic and Cultural Resources Element. This element, however, is not before the Commission nor does this policy reference the policies or standards of the LCP. Therefore, there is a potential that I-C 19 could be used in a manner that would be inconsistent with the City's LCP. I-C 19 has been modified through a suggested modification that the Historic and Cultural Resources Element can be implemented in the coastal zone to the extent that it is not inconsistent with the standards and policies of the City's certified Local Coastal Program. The majority of the suggested modifications to the Implementation Programs chapter relate to resolving this concern.

Suggested modifications have been made to the Glossary (see Page 163). Changes to the glossary principally relate to adding Coastal Act definitions, such as: "*bluff edge*", "*coastal waters*", "*coastal dependent*", "*development*", "*environmentally sensitive habitat*", and "*wetland*".

The Implementation Program is also being amended. The City's Implementation Program consists of the Zoning Code, District Zoning Maps, and six specific plans. The City proposes to delete the zoning district maps not within the coastal zone from the City's Local Coastal Program. The zoning district maps remaining as part of the City's certified LCP are attached to the staff report as Exhibit 3.

When the City submitted its Zoning Code update in 1995 it submitted the entire Zoning Code and forty (40) zoning distinct maps. This has resulted in local coastal program amendments having to be submitted to the Commission for certification for revisions to the Zoning Code for areas outside of the coastal zone. The City now seeks to delete the twenty (20) zoning district maps that are outside the coastal zone from the City's certified LCP. As the deletion of these 20 zoning district maps will not affect the ability of the

Executive Summary

City's Implementation Program (Zoning Code) to carry out the City's Land Use Plan (Coastal Element), Commission staff recommends that the Commission approve amendment to the Implementation Program (the deletion of the district zoning maps not in the coastal zone) as submitted.

The City of Huntington Beach has six (6) Specific Plan areas. These Specific Plans are part of the City's certified local coastal program. The six specific plans are: 1. Downtown Specific Plan, 2. Palm and Goldenwest, 3. Holly-Seacliff (portion) 4. Huntington Harbour Bay Club Specific Plan, and 5. Magnolia/Pacific, and 6. Seacliff. This local coastal program amendment will not have any effect on these Specific Plans.

The City of Huntington Beach has one area of deferred certification. This area is commonly referred to as the Metropolitan Water District Site. The site is now owned by Shea Homes, a residential developer. This site is forty (40) acres in size and is located near the intersection of Graham and Kenilworth. This area was deferred certification in 1982 due to unresolved issues relative to wetland protection. This Coastal Element Update will **NOT** have any effect on the Metropolitan Water District Area of Deferred Certification. The Metropolitan Water District site will remain an Area of Deferred Certification.

II. COMMISSION RESOLUTIONS ON CITY OF HUNTINGTON BEACH LOCAL COASTAL PROGRAM AMENDMENT 3-99

Following a public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation is provided just prior to each resolution.

A. **RESOLUTION #1 (RESOLUTION TO DENY CERTIFICATION OF THE HUNTINGTON BEACH LAND USE PLAN AMENDMENT 3-99 (COASTAL ELEMENT UPDATE), AS SUBMITTED)**

Motion #1

*"I move that the Commission **CERTIFY** the City of Huntington Beach Land Use Plan Amendment 3-99 (Coastal Element Update), as submitted."*

Staff recommendation

Staff recommends a **NO** vote and the adoption of the following resolution and findings. An affirmative vote by a majority of the appointed Commissioners is needed to pass the motion.

Resolution #1

The Commission hereby **DENIES** certification of the Land Use Plan Amendment 3-99 as submitted by the City of Huntington Beach and adopts the findings set forth below on the grounds that the amendment does not conform with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment would not comply with the California Environmental Quality Act because there are feasible alternatives or mitigation measures which could substantially lessen any significant adverse impact which the Land Use Plan Amendment may have on the environment.

B. **RESOLUTION #2 (RESOLUTION TO CERTIFY THE HUNTINGTON BEACH'S LAND USE PLAN AMENDMENT 3-99, IF MODIFIED)**

Motion #2

*"I move that the Commission **CERTIFY** the City of Huntington Beach Land Use Plan Amendment 3-99 (Coastal Element Update), if it is modified in conformance with the suggestions set forth in this staff report."*

Resolutions

Staff Recommendation

Staff recommends a **YES** vote and the adoption of the following resolution and findings. An affirmative vote by a majority of the appointed Commissioners is needed to pass the motion.

Resolution #2

The Commission hereby **CERTIFIES** the Land Use Plan Amendment 3-99 the City of Huntington Beach if modified as suggested and adopts the findings set forth below on the grounds that the Land Use Plan amendment with suggested modifications will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the land use plan amendment if modified as suggested complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts which the Land Use Plan Amendment may have on the environment.

- C. **RESOLUTION #3 (RESOLUTION TO APPROVE CERTIFICATION OF THE CITY OF HUNTINGTON IMPLEMENTATION PLAN AMENDMENT 3-99 (COASTAL ELEMENT UPDATE), AS SUBMITTED.**

Motion #3

*"I move the Commission **REJECT** the City of Huntington Beach Implementation Plan Amendment 3-99 (Coastal Element Update), as submitted."*

Staff Recommendation

Staff recommends a **NO** vote. Failure of this motion will result in certification of the Implementation Program amendment, as submitted, and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Resolution #3

The Commission hereby **CERTIFIES** the Implementation Plan Amendment 3-99 as submitted by the City of Huntington Beach and adopts the findings set forth below on the grounds that the amendment conforms with, and is adequate to carry out, the policies of the certified Land Use Plan. Certification of the Implementation Plan amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives or mitigation measures which could substantially lessen any significant adverse impact which the Land Use Plan Amendment may have on the environment.

III. PROCEDURAL PROCESS (LEGAL STANDARD FOR REVIEW)

A. STANDARD OF REVIEW

The standard of review for land use plan amendments, is found in Section 30512 of the Coastal Act. This section requires the Commission to certify an LUP amendment if it finds that it meets the requirements of Chapter 3 of the Coastal Act. Specifically, Section 30512 states: *“(c) The Commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200). Except as provided in paragraph (1) of subdivision (a), a decision to certify shall require a majority vote of the appointed membership of the Commission.”*

Pursuant to Section 30513 of the Coastal Act, the Commission may only reject zoning ordinances or other implementing actions, as well as their amendments, on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. The Commission must act by majority vote of the Commissioners present when making a decision on the implementing portion of a local coastal program.

B. PROCEDURAL REQUIREMENTS

Pursuant to Section 13551(b) of the California Code of Regulations, a resolution for submittal must indicate whether the local coastal program amendment will require formal local government adoption after Commission approval, or is an amendment that will take effect automatically upon the Commission’s approval pursuant to Public Resources Code Sections 30512, 30513 and 30519. The City’s resolution of adoption (99-198) states that this LCP amendment will take effect upon Commission certification. However, this certification is subject to suggested modifications by the Commission. Therefore, this local coastal program amendment will not become effective until the City of Huntington Beach formally adopts the suggested modifications and complies with all the requirements of Section 13544 including the requirement that the Executive Director determine the City’s adoption of the amendment to the Land Use Plan and Implementation Program is legally adequate.

IV. BACKGROUND

A. CITY OF HUNTINGTON BEACH

Background

Huntington beach is a shoreline community in Orange County. The area that is now Huntington Beach came under European control as a portion of a land grant from the Spanish Governor of California in approximately 1784. The City was incorporated on February 17, 1909. It is a charter City with a population of more than 190,000. Portions of the City lie within the State's defined coastal zone (Figure 2 - Coastal Zone Boundary Map on Page 19). The City's coastal zone boundary runs from the northern City limit at Seal Beach, south nine miles to the Santa Ana River terminating at the City's boundary with the City of Newport Beach. Generally, the coastal zone extends inland from the mean high tide line inland from 1,000 yards to over one mile in some areas. The Huntington Beach coastal zone encompasses approximately five square miles of land and water, or about seventeen (17%) percent of the total area of the City.

B. CURRENT SUBMISSION (COASTAL ELEMENT UPDATE)

On December 29, 1999 the Commission received from the City of Huntington Beach Local Coastal Program (LCP) Amendment 3-99. This LCP amendment affects both the Land Use Plan and the Implementation Program.

1. LAND USE PLAN AMENDMENT

This LCP amendment proposes to amend the City's certified Coastal Element (Land Use Plan) in its entirety with an updated Coastal Element. The City is proposing this amendment, as the Coastal Element has not been comprehensively updated since it was certified in March 1985. The City also seeks to bring the Coastal Element into conformance with the City's 1996 General Plan. The Coastal Element Update is **not** attached as it has been provided under separate cover due to its size as Exhibit 7.

Moreover, this submission will not change the deferred certification status of the MWD site, which will remain an area of deferred certification. This area of deferred certification was created on November 17, 1982 and covers forty acres near the intersection of Graham and Kenilworth in the City of Huntington Beach. This area was deferred certification due to unresolved issues relative to wetland protection.

On January 12, 2000, Coastal Commission staff notified the City of Huntington Beach that the submittal was incomplete and that additional information would be required to complete the submittal. This information was subsequently submitted and the submission was deemed complete as of June 30, 2000.

On September 13, 2000 the Commission pursuant to Section 30517 of the Coastal Act granted a one-year extension to the ninety (90) day time limit. This time limit extension is valid until September 28, 2001.

Background

The updated Coastal Element is organized into six sections:

1. Statutory Requirements
2. Introduction
3. Technical Synopsis
4. Issues, Goals, Objectives, and Policies
5. Implementation Programs
6. Glossary and Appendices

Statutory Requirements: Provides a review of the California Coastal Act (Act) and the relationship of the City's local Coastal Program to the Act.

Introduction: Describes the role and purpose of the Coastal Element and its relationship to other planning documents.

Technical Synopsis: This section contains information on the types of land uses and resources in the coastal zone. This data helps to identify what changes have occurred since the last Coastal Element was adopted and helps to formulate, goals, objectives and policies that reflect a current and changing spectrum of resources.

Issues: This section describes major concerns that have been identified by the City for the coastal zone through the public participation process and from review of the 1985 Coastal Element. The issues serve as the basis for developing the Coastal Elements goals, objectives, and policies.

Goals, Objectives, and Policies: This section discusses the goals and objectives that the City intends to achieve and sets forth the policies that are necessary to fulfill them. The policies are the mandatory enforceable provisions of this Coastal Element. The goals and objectives provide background and context for the policies. The policies of this section of the Coastal Element will be the focus of this staff report.

Implementation Programs: This section provides guidance on how the City will ensure that the goals of the Coastal Element are met. This section is **NOT** part of the City's Implementation Program, which consists of the City's Zoning Code, six specific plans, and Zoning District Maps.

Glossary and Appendices: The glossary contains a list of specialized words with their definitions. After certification, the City will attach a copy of the Coastal Act to the Coastal Element as an appendix.

2. IMPLEMENTATION PROGRAM AMENDMENT

This LCP amendment proposes to amend the City's Implementation Program by deleting the twenty Zoning District Maps for areas outside the coastal zone from the Implementation Program. The remaining twenty Zoning District Maps, which are numbered 2, 3, 4, 10, 12, 14, 16, 19, 20, 21, 22, 23, 28, 29, 33, 34, 35, 36, 37, and 38 would remain as part of the City's certified LCP. The Zoning District Maps that remain as part of the City's certified LCP are attached as Exhibit 3.

Background

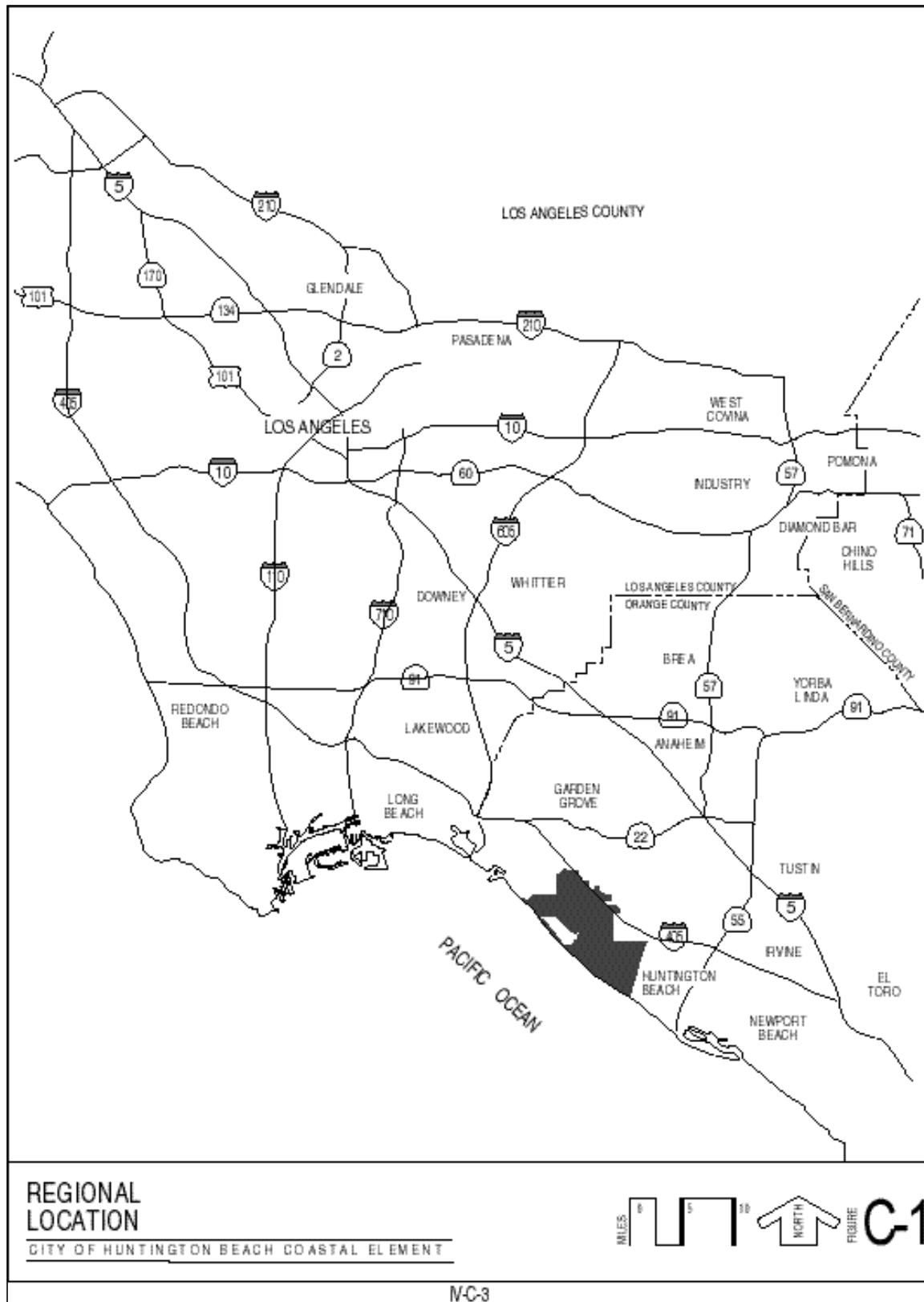


Figure 1 - Regional Location Map

Background

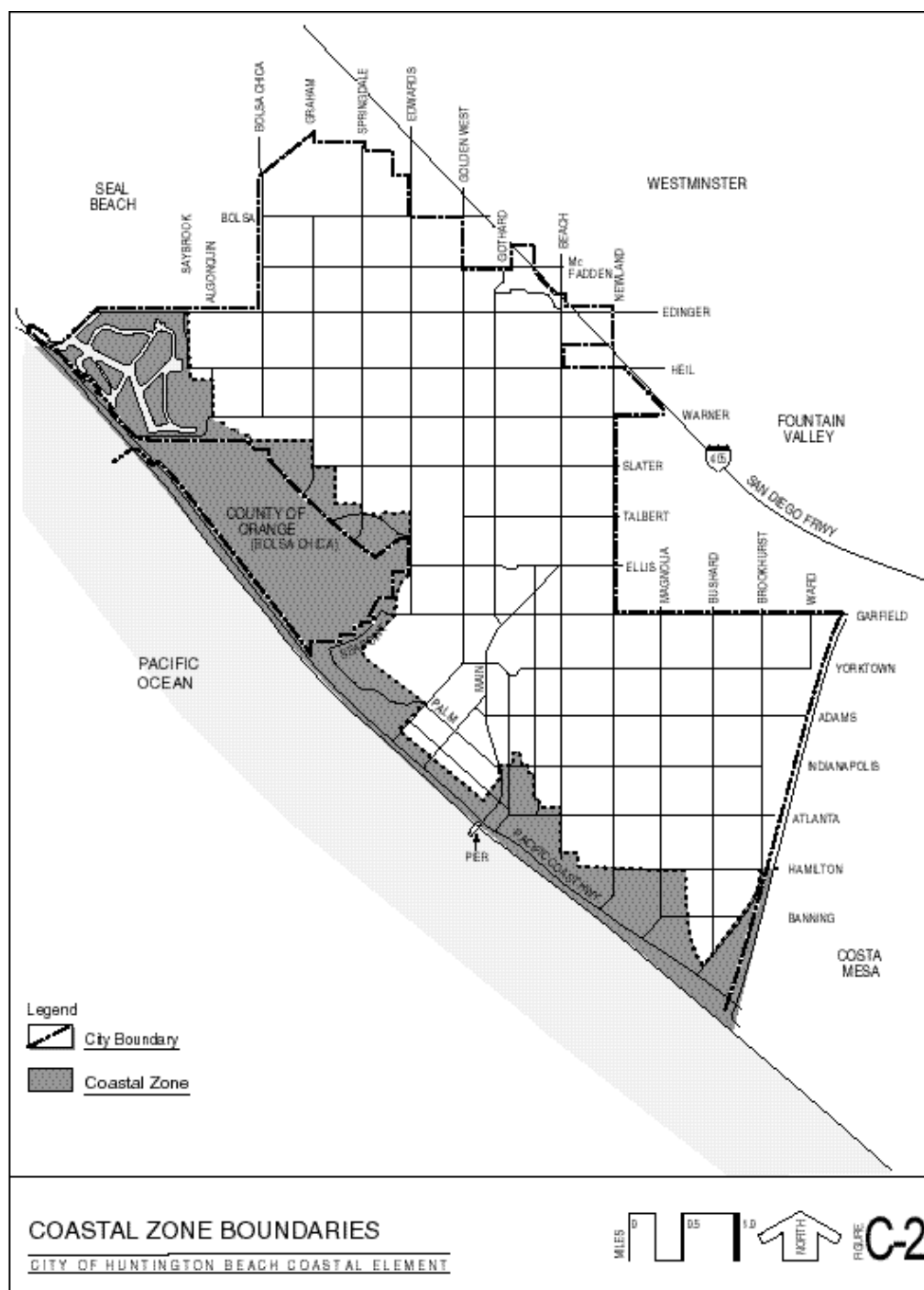


Figure 2 - Coastal Zone Boundary Map

C. LOCAL COASTAL PROGRAM OVERVIEW

The Regional Commission certified the City's Land Use Plan (LUP) with suggested modification on May 11, 1981. The State Commission certified a resubmitted LUP with suggested modification on September 16, 1981. The major issue of the LUP related to the protection of wetlands, which led to a resubmission that was partially certified and partially denied on November 17, 1982. Due to potential wetland concerns two areas were deferred certification. The first area is commonly known as the Metropolitan Water District site, which is a forty (40) acre parcel near the intersection of Graham and Kenilworth. This area of deferred certification was created on November 17, 1982. The property is now owned by Shea Homes, a residential developer and remains an area of deferred certification.

The second area of deferred certification created on November 17, 1982 covered 232 acres between Beach Boulevard and the Santa Ana River along Pacific Coast Highway. The Land Use Plan for this area, which resolved some of the wetland concerns, was certified on October 8, 1986. On May 12, 1992 the Commission certified (with suggested modifications) the zoning for this area. However, the City never accepted the modifications and the certification action lapsed after six months. An LCP amendment No. 2-94 was submitted to provide zoning for this area and was certified with suggested modifications on November 16, 1995. The City accepted the suggested modifications and the area was effectively certified on April 12, 1996.

A geographic part of the LCP was certified on March 15, 1984. The implementation program (zoning) was certified in geographic part with suggested modifications on April 12, 1984. The Zoning Code was resubmitted and was effectively certified by the Commission (for the geographic part) on March 13, 1985. On March 21, 1985, the City assumed permit-issuing authority.

The implementation program (zoning code) was replaced in its entirety through LCPA No. 1-95. The Commission approved this amendment with suggested modifications on April 12, 1996.

D. STRUCTURE OF THE CITY'S LOCAL COASTAL PROGRAM

The City's certified local Coastal Program consists of a Land Use Plan (Coastal Element) and an Implementation Program. The Implementation program consists of the City's Zoning Code (the entire document), Zoning District Maps, and six Specific Plans. The six specific plans are: 1. Downtown Specific Plan, 2. Palm and Goldenwest, 3. Holly-Seacliff (portion) 4. Huntington Harbour Bay Club Specific Plan, 5.

Magnolia/Pacific, and 6. Seacliff. This local coastal program amendment will not have any effect on these Specific Plans.

V. SUMMARY OF PUBLIC PARTICIPATION

All staff reports related to this LCP amendment were made available for public review at the City's Planning Department and the Huntington Beach Public Library. The Planning Commission conducted study sessions on March 9, 1999, March 30, 1999, April 13, 1999, and June 22, 1999 to discuss the Coastal Element Update. The study sessions were open to the public. A draft version of the Coastal Element Update was available for a 30-day review period between July 1, 1999 and July 31, 1999. The Notice of Availability for the draft was advertised in the City's local newspaper and notices were sent to interested parties. This notice was mailed to a variety of groups and individuals, such as the Huntington Beach Chamber of Commerce, County of Orange, Pacific Coast Archeology Society, Inc., Huntington Beach Tomorrow, California Department of Transportation, and the Bolsa Chica Land Trust. Copies of the draft were also sent to some of the parties. As a result of the public comment period several letters were received. These letters recommended adding/revising policies to promote a Bikeway on the Wintersburg Channel, wheelchair access for the pier, the addition of the water transmission line for Bolsa Chica on Figure C-23, and minor additions to three existing policies regarding traffic flow on Pacific Coast Highway.

The proposed Coastal Element update was discussed at one Planning Commission public hearing held on October 12, 1999. At this meeting the Planning Commission approved the Coastal Element and forwarded it to the City Council for action. The public hearing was initially advertised in the City's local newspaper for an August 24, 1999 meeting of the Planning Commission; however, the item was continued to the October 12, 1999 meeting. The proposed Coastal Element was discussed and approved by the City Council at its November 15, 1999 public hearing.

VI. LAND USE PLAN SUGGESTED MODIFICATIONS

Suggested Modifications: The Commission certifies the following, with modifications as shown. Language as submitted by City of Huntington Beach is shown in straight type. Language recommended by the Commission for ~~deletion~~ is shown in ~~line-out~~. Language proposed to be **inserted** by the Commission is shown in **underlined boldface italics**.

Commission Review of Narrative Text: The City's Coastal Element can be divided into two major divisions. The first division is narrative, which describes the City, how the LCP program functions, and the explanatory basis for the various standards and policies contained in the Coastal Element. The second division of the Coastal Element consists of the actual standards and policies. It is this second division which is the focus of Commission review.

Commission review of the Coastal Element has been primarily limited to Tables C-1 and C-2, Land Use Plan Maps C-5 through C-9, and pages IV-C-100 through IV-C-151, which constitute the standards and policies of the Land Use Plan. In terms of how "goals", "objectives", and "policies" are to be treated in the Coastal Element, the policies are the mandatory enforceable component. The goals and objectives provide background and context for the policies. Therefore, the standard of review for the City in permitting development under the Coastal Element will be the policies of the Coastal Element.

Revisions to the policies, made through suggested modifications, in certain circumstances may make the background narrative obsolete. Descriptive narrative no longer consistent with the policies will need to be revised by the City to conform the narrative of any associated policy that has been revised through suggested modifications as part of the submission of the final document for certification pursuant to Sections 13544 and 13544.5 of the California Code of Regulations. One example of narrative that will need to be revised relates to the suggested modification for policy C 2.4.5 (see Page 63) which affects the discussion on page IV-C-48 of the Coastal Element relative to Residential Parking. Another example relates to policies C 7.1.2 and C 7.1.4 which relate to a wetland fill project that is discussed on Page IV-C-72 of the submitted Coastal Element. Both policy C 7.1.2 and C 7.1.4 are being deleted as the Commission and City adopted a settlement agreement in November 2000 which will preserve the wetland. Consequently the narrative on Page IV-C-72 is no longer current.

Organizational Notes: The addition of new policies or the deletion of policies (as submitted) will affect the numbering of subsequent Coastal Element (Land Use Plan) policies when the City of Huntington Beach publishes the final Coastal Element incorporating the Commission's suggested modifications. This staff report will **not** make revisions to the policy numbers. The City will make modifications to the numbering system when it prepares the final Coastal Element for submission to the Commission for certification pursuant to Sections 13544 and 13544.5 of the California Code of Regulations.

Additionally, the Coastal Element (November 15, 1999 version) submission contained formatting to show City revisions made to the Coastal Element prior to its approval by the City Council. For purposes of clarity this formatting has been **removed**. The elimination of the City formatting affects pages 49 through 174 of this staff report.

This Coastal Element update is a revision to the City's previous Coastal Element (1985). To facilitate review, both the City's existing policies and the City's new policies have been included. Pages 25 to 145 have been organized into columns to present the City's existing policies in comparison with the City's proposed new policies, and the Commission's suggested modifications. The left column contains the City's existing policies, which are to be replaced. The center column contains the equivalent proposed policy

Land Use Plan Suggested Modifications

under the current submission. The right column contains the Commission's suggested modifications. In cases where the City does not have corresponding policies, blank boxes will be observed. In several cases some of the City's existing policies (the left column) have been duplicated where the City has made two or more new policies (center column) based on one old policy.

A. LAND USE PLAN SUMMARY

Global Text Suggested Modification: As submitted the November 15, 1999 Coastal Element contained the word "*DRAFT*" as part of the header. Additionally the word "*draft*" was used on page IV-C-100 to identify the Coastal Element as a draft. The word "*draft*" wherever it references the Coastal Element shall be deleted since the document will no longer be a draft. Since this policy refers to a global text revision, once the global text revisions are made, this policy does not need to be included in the amended Coastal Element.

Global Text Suggested Modification: As submitted the November 15, 1999 Coastal Element contained the word "*DRAFT*" in references to the Palm and Goldenwest Specific Plan. The Commission certified the Palm and Goldenwest plan at its August 9, 2000 Commission meeting. The City accepted the Commission's suggested modifications on October 2, 2000 and the Commission effectively certified the Palm and Goldenwest Specific Plan on December 11, 2000. Since the Palm and Goldenwest Specific Plan has been certified, the word "*DRAFT*" where it references the Palm and Goldenwest Specific Plan shall be deleted. Since this policy refers to a global text revision, once the global text revisions are made, this policy does not need to be included in the amended Coastal Element.

Global Text Suggested Modification: As submitted the November 15, 1999 Coastal Element contained supportive narrative describing the basis for many policies. Some of these policies have been modified as a result of this Commission action. Consequently, the corresponding supportive narrative may no longer be relevant for supporting modified policies. For example, Policy C 2.4.5 has been modified to limit the use of a preferential parking district in cases where coastal access would be affected. Consequently the supportive narrative on page IV-C-48 of the Coastal Element (as submitted) relative to Residential Parking must be modified to conform to the revised policy. The Commission empowers the City with the approval of the Executive Director to revise supportive narrative so that it will be consistent with the policies of the Coastal Element as modified through the suggested modifications. Since this policy refers to a global text revision, once the global text revisions are made, this policy does not need to be included in the amended Coastal Element.

GENERAL RESOURCE PROTECTION POLICIES¹

The following general policies shall provide the framework for interpreting this Coastal Element:

- 1. When policies within the Coastal Element conflict, such conflicts shall be resolved in a manner which on balance is the most protective of significant coastal resources.**
- 2. Where there are conflicts between the policies set forth in this Coastal Element and those set forth in any element of the City's General Plan, other City plans, or existing ordinances, the policies of this LUP shall take precedence.**
- 3. In the event of any ambiguities or silence of this Coastal Element not resolved by (1) or (2) above, or by other provisions of the City's LCP, the policies of the California Coastal Act shall guide interpretation of this Coastal Element.**

¹ Insert into the Coastal Element just before Land Use Goal C1.

Land Use Plan Suggested Modifications

B. LAND USE DESIGNATIONS (CATEGORIES)

This section of the Coastal Element defines the various land use designations and the uses allowed on the land under a specific designation. The land use maps which implement the narrative text below appear on pages IV-C-21 through IV-C-25 of the Coastal Element and are labeled figures C-5 through C-9. These maps are also attached to this staff report as Exhibit 2.

The 1985 Coastal Element and the current submission present the City's land use categories in two different formats. Under the 1985 Coastal Element the land use categories were presented in a narrative format, which has been, duplicated below in the left column from pages 25 to 49. This information, in the current Coastal Element submission, has been included in Table C-1. Table C-1, as submitted, has been attached to this staff report as Exhibit 5. The applicable portions of Table C-1 have been included in the center column below. Revisions to the current submission, which appear in the right column titled "Suggested Modifications", will require that the City modify Table C-1 to conform to the changes made in the right column. Table C-2, as submitted, has been attached to this staff report as Exhibit 6. Table C-2 defines the City's development concepts by subarea.

1. LAND USE CATEGORIES

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
9.2 LAND USE CATEGORIES The land use plan utilizes the same designations currently found in the Land Use Element, as well as six new or revised designations which more specifically reflect intended coastal land uses. This section describes the various categories and briefly discusses their relationship within the coastal zone. The general height limit for all categories of development is three stories. In specified areas, bonuses for parcels of one half block or more may be granted provided that the following conditions are met:		

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
<p>1. The bulk and siting of structures shall be controlled to protect public access and scenic and visual resources. A number of approaches may be used to achieve this, such as a step approach to building heights, staggered building envelopes, limits on the site coverage and building orientation, and use of view corridors.</p> <p>2. Adequate parking shall be provided.</p> <p>Areas where increased intensities may be granted are depicted in Figure 9.8 on page 123.</p>		

Land Use Plan Suggested Modifications

2. RESIDENTIAL

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
<p>9.2.1 Residential</p> <p>Residential uses are planned for approximately 1,600 acres of the coastal zone to provide opportunities for people to live near the coast. A range of allowable residential densities is proposed in keeping with the City's goal to provide a variety of housing opportunities by type, tenure, and cost for households of all sizes throughout the City. All of the following residential designations also allow certain support uses by special permit: elementary and private schools, neighborhood parks and private recreation areas, churches, fire-stations, utility substations, day care centers, and convenience commercial centers (less than 1.5 acres in size).</p>		
<p><u>Low Density</u></p> <p>The low density designation is intended to provide the lowest intensity of residential development in the coastal zone and is applied to areas where residential uses currently exist or are planned to be developed at an intensity of less than seven dwelling units per gross acre of land.</p>	<p><u>Residential Low (RL)</u></p> <p>Single family residential units; clustered zero-lot line developments; and “granny” flats.</p>	<p><u>Residential Low (RL)</u></p> <p>Single-family residential units; clustered zero-lot line developments; <u>mobile home parks</u>, and “granny” flats.</p> <p><u>Additional uses that may be permitted include: multi-family residential, day care, residential treatment facilities,</u></p>

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
<p>Principal uses permitted under the low density residential designation include detached single family dwellings, condominiums, and mobile home parks. Primary areas for low density include sites bounded by arterial highways and conveniently served by nearby elementary schools, commercial development and park and recreation areas.</p>		<p><u>parks, horticulture, nurseries, and public and semipublic facilities.</u></p> <p><u>Temporary uses that may be permitted include commercial filming, real estate sales, personal property sales and street fairs.</u></p> <p><u>Maximum of 7 Units Per Gross Acre</u></p>
<p><u>Medium Density</u></p> <p>This designation provides for more intense housing development and allows a density range of seven to 15 dwelling units per gross acre of land. Principal uses include condominiums, single family dwellings in small lot areas, small multiple-family apartments (2-4 units), and mobile home parks. Medium density residential uses are located convenient to schools, parks, shopping areas, and primary transportation routes, and may act as buffers or transitions between low and higher density residential areas and between residential and more intense non-residential uses.</p>	<p><u>Residential Medium (RM)</u></p> <p>Single family residential units, duplexes, townhomes, and garden apartments.</p>	<p><u>Residential Medium (RM)</u></p> <p>Single family residential units, duplexes, townhomes, <u>mobile home parks,</u> and garden apartments.</p> <p><u>Additional uses that may be permitted include: multi-family residential, day care, residential treatment facilities, residential care facilities, parks, horticulture, nurseries, and public and semipublic facilities.</u></p> <p><u>Temporary uses that may be permitted include: commercial filming, real estate sales, personal property sales and street fairs.</u></p> <p><u>From 7 Units to a maximum of 15 Units Per Gross Acre</u></p>

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
	<u>Residential Medium High (RMH)</u> Townhomes, garden apartments, apartment "flats."	<u>Residential Medium High (RMH)</u> Townhomes, garden apartments, <u>and</u> apartment "flats." <u>Additional uses that may be permitted include: group residential, multi-family residential, day care, residential treatment facilities, residential care facilities, parks, horticulture, nurseries, bed and breakfast inns, and public and semipublic facilities.</u> <u>Temporary uses that may be permitted include commercial filming, real estate sales, personal property sales and street fairs.</u> <u>From 15 Units to a maximum of 30 Units Per Gross Acre</u>
<u>High Density</u> The high density designation provides for the most concentrated residential development in the coastal zone. While there is no upper limit on density under the high density land use designation, the City's zoning ordinances permit residential development to a maximum of 35 units per acre.	<u>Residential High (RH)</u> Townhomes, garden apartments and apartments.	<u>Residential High (RH)</u> Townhomes, <u>mobile home parks</u> , garden apartments, <u>and</u> apartments. <u>Additional uses that may be permitted include: group residential, multi-family residential, day care, residential treatment facilities, residential care facilities, parks, horticulture, nurseries, bed and breakfast inns, and public and</u>

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
<p>Principal uses permitted under the high density designation include large apartment and condominium complexes and smaller apartments in small lot areas.</p> <p>High density residential uses are planned near other intensive land use areas, employment centers and major transportation and public transit routes.</p>		<p><u>semipublic facilities.</u></p> <p><u>Temporary uses that may be permitted include commercial filming, real estate sales, personal property sales and street fairs.</u></p> <p><u>Greater than 30 Units Per Gross Acre</u></p>

3. COMMERCIAL

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
<p>9.2.2 Commercial</p> <p>Commercial uses in the coastal zone are of two types: general facilities for the community and the city as a whole and more specialized uses oriented to visitors to the coast.</p> <p>In order to guide the orderly development of both local and visitor-commercial uses, the following designations are utilized in the coastal plan.</p>		

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
	<p><u>Commercial Neighborhood (CN)</u></p> <p>Small-scale retail commercial, professional offices, eating and drinking establishments, household goods, food sales, drug stores, personal services, cultural facilities, institutional, health, government offices and similar uses. Generally, individual establishments should not exceed 10,000 square feet. If permitted, their frontage should be designed to convey the visual character of small storefronts.</p>	<p><u>Commercial Neighborhood (CN)</u></p> <p>Small-scale retail commercial, professional offices, eating and drinking establishments, household goods, food sales, drug stores, personal services, cultural facilities, institutional, health, government offices and similar uses. Generally, individual establishments should not exceed 10,000 square feet. If permitted <u>feasible</u>, their frontage should be designed to convey the visual character of small storefronts.</p> <p><u>The Commercial Neighborhood (CN) designation shall utilize the standards of the General Commercial District (CG) of the Zoning Code for implementation.</u></p>
<p><u>General</u></p> <p>The general commercial designation allows convenience, neighborhood, and community-oriented retail and business centers. While these centers vary in number, size, and composition, they are intended to serve the everyday shopping needs of permanent residents of an area.</p>	<p><u>Commercial General (CG)</u></p> <p>Retail commercial, professional offices, eating and drinking establishments, household goods, food sales, drugstores, building materials and supplies, personal services, recreational commercial, overnight accommodations, cultural facilities, government offices, educational, health, institutional and similar uses.</p>	

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
<p><u>Visitor-Serving</u></p> <p>The visitor-serving commercial category is a new designation created in response to the Coastal Act policy which encourages adequate visitor-serving facilities in the coastal area. The principal permitted uses are hotels, motels, restaurants, theaters, museums, specialty and beach-related retail, and service uses. Office and residential uses would also be allowed by special permit. These uses are located near visiting-drawing attractions such as the Municipal Pier and the beaches, and along major access routes from inland areas. Office and residential uses shall be conditional only and shall only be permitted if visitor serving uses are either provided prior to other development or assured as part of the development. No office or residential uses shall be permitted in any visitor-serving designation seaward of Pacific Coast Highway.</p> <p>In visitor-serving commercial development the street level or one-third of the total floor area shall be devoted to visitor-serving commercial uses; however at least 50 percent of the street level shall be visitor-serving commercial.</p>	<p><u>Commercial Visitor (CV)</u></p> <p>Hotels/motels, restaurants, recreation-related retail sales, cultural uses (e.g., museums) and similar uses oriented to coastal and other visitors to the City.</p>	<p><u>Commercial Visitor (CV)</u></p> <p>Hotels/motels, restaurants, recreation-related retail sales, cultural uses (e.g., museums) and similar uses oriented to coastal and other visitors to the City.</p> <p><u>Marine related development such as marinas, retail marine sales, boat rentals, and boat storage which are coastal dependent developments shall have priority over any other type of development (consistent with resource protection) on or near the shoreline. (30255)</u></p> <p><u>The entire ground floor area and at least one-third of the total floor area shall be devoted to visitor-orientated uses. Any use other than visitor serving commercial shall be located above the ground level, and a conditional use permit from the Planning Commission shall be required. No office or professional service shall be permitted seaward of Pacific Coast Highway</u></p>

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
In the event of a consolidation of a minimum one block area, conditional uses may be located in separate structures or on separate portions of the parcel in the context of a planned development, provided no less than one third of the total floor area permitted is devoted to visitor-serving uses, and provided that substantial public open space and pedestrian access amenities are provided to maintain a predominantly visitor-serving orientation.		

4. MIXED USES

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
9.2.3 <u>Mixed Uses</u> The Land Use Element of the City's General Plan includes a broad mixed development category intended to encourage maximum flexibility. The Coastal Element has refined the category to provide more direction for the types and level of development desired. Three new mixed uses categories have been developed for the coastal zone.		

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
<p><u>Office/Residential</u></p> <p>The intent of this designation is to allow a mix of medium to high density apartments and condominiums with professional office space. This can be accomplished by integrating residential and office uses within the same general area or by vertically mixing these uses within the same building. Limited ancillary retail commercial and service uses are also conditionally allowed; however, the emphases is on the office/residential mix.</p> <p>In an urban center, office and residences are compatible uses which complement each other. In the Downtown, intensified residential uses would provide housing close to employment and add support to planned general and visitor commercial. The office would provide work opportunities and services to the residential community.</p>	<p><u>Mixed Use (M)</u></p> <ul style="list-style-type: none"> Single Uses containing Commercial Neighborhood (CN), or commercial General (CG) or Residential uses as listed above. Mixed use areas that may include Vertically Integrated Housing (MV) or Horizontally Integrated Housing (MH) uses, townhomes, garden apartments, and mid-/high-rise apartments, Neighborhood (CN) and Commercial General (CG) uses. The exact density, location and mix of uses in this category is intended to be governed by a Specific Plan ("-sp") to allow greater design flexibility and to address the uniqueness of a particular area. 	<p><u>Mixed Use (M)</u></p> <ul style="list-style-type: none"> Single Uses containing Commercial Neighborhood (CN), or commercial General (CG) or Residential uses as listed above. Mixed use areas that may include Vertically Integrated Housing (MV) or Horizontally Integrated Housing (MH) uses, townhomes, garden apartments, and mid-/high-rise apartments, <u>Commercial Visitor (CV)</u> Neighborhood (CN) and Commercial General (CG) uses. <u>Mixed use development in the coastal zone will focus on providing visitor serving commercial opportunities along the inland side of Pacific Coast Highway and within the Downtown Specific Plan Area.</u> The exact density, location and mix of uses in this category is intended to be <u>shall be</u> governed by a Specific Plan ("-sp") to allow greater design flexibility and to address the uniqueness of a particular area.
<p><u>Commercial/Support Recreation</u></p> <p>This designation conditionally allows commercial facilities as a major use and recreational facilities as a support use. It is especially appropriate for large areas which</p>		

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
<p>can be planned as one coordinate development. The City's intent is to encourage uses that are open to the public and that capitalize on the mild climate and beach location. Facilities such as restaurant and hotels will be encouraged as part of a coordinated development.</p>		
<p><u>Mixed Use-Horizontal Integration of Housing</u> with a specific plan overlay [MH-F2/30 (Avg. 15)- LPI]</p> <p>This designation allows visitor-serving commercial, residential and open space uses, approved pursuant to a specific plan (sp), to be integrated horizontally. The maximum allowable Floor Area Ratio (F) is 0.5. The maximum density for any project is 30 units per acre; the maximum average density within the area is 15 units per acre.</p>	<p><u>Mixed Use-Horizontally Integrated Housing (MH)</u></p> <ul style="list-style-type: none"> ▪ Single use structures containing Neighborhood (CN) and Commercial General (CG) uses as listed above. ▪ Visitor serving commercial uses (as permitted by Commercial Visitor ("CV") land use category. ▪ Multi-family residential, including townhomes, garden apartments, and mid-/high-rise apartments. ▪ (Each use is limited to a portion of the total designated site, as prescribed by policy in the element.) 	<p><u>Mixed Use-Horizontally Integrated Housing (MH)</u></p> <ul style="list-style-type: none"> ▪ Single use structures containing Neighborhood (CN) and Commercial General (CG) uses as listed above. ▪ Visitor serving commercial uses (as permitted by Commercial Visitor ("CV") land use category. ▪ Multi-family residential, including townhomes, garden apartments, and mid-/high-rise apartments. ▪ (Each use is limited to a portion of the total designated site, as prescribed by policy in the element.) ▪ <u>Mixed use development in the coastal zone will focus on providing visitor serving commercial opportunities along the inland side of Pacific Coast Highway and within the Downtown Specific Plan Area.</u> ▪ <u>The exact density, location and mix of uses in this category shall be governed by a Specific Plan ("-sp")</u>

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
		<u>to allow greater design flexibility and to address the uniqueness of a particular area.</u>
	<p><u>Mixed Use-Vertically Integrated Housing (MV)</u></p> <ul style="list-style-type: none"> Single use structures containing Neighborhood (CN) and Commercial General (CG) uses as listed above. Mixed use structures incorporating residential units on the second floor and/or rear of commercial uses; with restrictions on the types of commercial uses to ensure compatibility with the housing. 	<p><u>Mixed Use-Vertically Integrated Housing (MV)</u></p> <ul style="list-style-type: none"> Single use structures containing Neighborhood (CN), <u>Commercial Visitor (CV)</u> and Commercial General (CG) uses as listed above. Mixed use structures incorporating residential units on the second floor and/or rear of commercial uses; with restrictions on the types of commercial uses to ensure compatibility with the housing. <u>Mixed use development in the coastal zone will focus on providing visitor serving commercial opportunities along the inland side of Pacific Coast Highway and within the Downtown Specific Plan Area. The ground floor shall be reserved for visitor serving commercial uses which provide goods and services directly to the public. Office, professional, residential, and other commercial uses may be allowed on the second floor or above.</u> <u>The exact density, location and mix of uses in this category shall be</u>

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
		<u>governed by a Specific Plan (“-sp”)</u> <u>to allow greater design flexibility and</u> <u>to address the uniqueness of a</u> <u>particular area.</u>

5. INDUSTRIAL

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
<u>9.2.4 INDUSTRIAL</u> Industrial uses in the Huntington Beach coastal zone are limited almost exclusively to those facilities associated with the extraction, storage, and transmission of oil and natural gas. Although the actual area designated for the industrial activities represents only about 4.5 percent of the coastal zone, these uses nonetheless have a significant influence on the economic vitality of the area and the City as a whole. The categories of industrial land uses planned for the coastal zone are described below.		
<u>General</u> Industry which is not coastal dependent is	<u>Industrial (I)</u> Light manufacturing, research and	<u>Industrial (I)</u> Light manufacturing, <u>energy production,</u>

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
<p>generally not encouraged in the coastal zone. However, this category is included in the land use plan in recognition that some light industry is already located in the City's coastal zone away from the shoreline and near energy and other compatible uses. Principal uses permitted under this designation include light manufacturing, assembly, packaging, electronics, wholesale distribution, machine shops, warehousing, storage, administrative offices, and service uses.</p>	<p>development, warehousing, business parks and professional offices, supporting retail, financial, restaurants and similar uses. Warehouse and sales outlets.</p>	<p><u>resource production</u>, research and development, warehousing, business parks and professional offices, supporting retail, financial, restaurants and similar uses. Warehouse and sales outlets.</p> <p><u>Marine related activities such as boat construction and dry boat storage. Coastal dependent development shall have priority over any other type of development (consistent with resource protection) on or near the shoreline. (30255)</u></p>
<p><u>Resource Production</u></p> <p>The resource production designation is intended to accommodate coastal-dependent oil activities. Principal permitted uses include oil wells, injection equipment, separation and treatment facilities, storage tanks, transmission lines, equipment storage and maintenance yards, and administrative offices. This designation is not applied to areas where small-scale oil production activity takes place in conjunction with other primary land uses. Rather, the resource production designation is used for areas where the extraction, separation, storage and transmission of crude oil constitutes the primary land use and is anticipated to be the major use for the next 15-30 years.</p>		

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
<u>Industrial Energy Production</u>		
The Industrial Energy Production designation is intended to accommodate coastal dependent energy production facilities that are not oil extraction related. Principal-permitted uses include power plants, storage tanks, transmission lines, storage and maintenance yards, and ancillary buildings.		

6. OPEN SPACE, CONSERVATION, RECREATION

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
<u>9.2.5 Open Space</u>		
Open space constitutes an important category of uses in the coastal zone. The Land Use Element currently has only one open space designation to cover recreation, parks-and scenic corridor areas. To more accurately reflect the specific types of open space uses in the coastal zone, the Coastal Element establishes three separate categories, described below.		

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
<p><u>Water</u></p> <p>A total of 245 acres-of inland channels are located in the Huntington Harbour area. These channels provide recreational opportunities for the residents of the Harbour and the general public, and access to the ocean via Anaheim Bay in Seal Beach. Inland channels are depicted on the land use plan as water open space. The principal uses allowed in this category are water oriented recreation such as boating, swimming and fishing.</p> <p>In Huntington Beach the most-important water area is the Pacific ocean. While it is used primarily for recreational purposes -- swimming, surfing, fishing, and boating -- it also serves other functions related to energy production and waste treatment. Although the ocean has important effects on shoreline land uses in Huntington Beach, the coastal waters and their use within the three mile limit are largely regulated by the State of California. For this reason, the ocean is not included as a designation on the map. In order to fully utilize and protect this vital resource, however, the Coastal Element does establish policies to regulate onshore activities affecting the ocean. (See Section</p>	<p><u>Water Recreation (OS-W)</u></p> <p>Lakes and other water bodies used for recreational purposes, such as boating, swimming, and water skiing.</p>	

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
<p>5 for a discussion of policies related to water quality and marine resources.)</p> <p>Four flood control channels traverse the Huntington Beach coastal zone, conveying drainage and storm runoff from inland-areas to the sea. Flood control channels are not considered a major land use in the City and for this reason are not designated as specific uses in the plan. However, the location of these channels is indicated on the map because they can be important for establishing buffers between different land uses. This buffering effect is especially important in the area by the Santa Ana River where flood control channels separate undeveloped natural areas from more intense development. Similarly, the Santa Ana River which forms the eastern boundary of the City of Huntington Beach is shown on the map but not designated for specific uses.</p>		
<p><u>Conservation</u></p> <p>Conservation is a new designation intended to protect valuable resource areas in the coastal zone from most types of development. The designation allows only certain low intensity activities which provide public access, so long as the resources being protected are not impaired. Such support activities could include picnic and</p>	<p><u>Conservation (OS-C)</u></p> <p>Properties to be retained for environmental resource conservation and management purposes (e.g., wetlands and ESHA protection). Ancillary buildings, such as maintenance equipment storage, may be permitted, as determined by City review and approval, consistent with Coastal Act provisions (Sections 30233 and 30240).</p>	<p><u>Conservation (OS-C)</u></p> <p>Properties to be retained for environmental <u>and visual</u> resource conservation and management purposes (e.g., wetlands and ESHA protection). Ancillary <u>activities and</u> buildings, such as maintenance equipment storage, may be permitted <u>in locations on the property not possessing wetland or environmentally sensitive habitat.</u></p>

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
<p>observation areas, nature trails and peripheral bike paths, informational signs or displays, and peripheral parking areas. This designation also allows the additional uses outlined in Sections 30233 and 30264 of the Coastal Act under the conditions stated therein. Conservation areas may be publicly or privately owned; however, public access to these areas is encouraged and should be provided where possible.</p> <p>The designation is applied to those areas where only very limited use is best due to unstable soil conditions an slopes or the existence of significant wildlife habitats or endangered species, and is an important tool for protecting environmentally sensitive habitats and visual resources.</p>		<p><u>provided that the buildings and ancillary development and use are sited and designed to prevent impacts which would significantly degrade any adjacent wetland or environmentally sensitive habitat areas</u> as determined by City review and approval, consistent with Coastal Act provisions (Sections 30233 and 30240).</p> <p><u>Ancillary activities include low intensity activities which provide public access and passive recreational use, so long as the resources being protected are not impaired. Such activities could include picnic and observation areas, nature trails, peripheral bike paths, informational signs or displays, and peripheral parking areas.</u></p> <p><u>Ancillary buildings would include buildings such as maintenance equipment storage, restroom, and nature centers.</u></p>
<p><u>Recreation</u></p> <p>Recreation is another new designation used in areas throughout the coastal zone to accommodate passive and active recreational uses. In keeping with Coastal Act policies concerning shoreline access and recreation and visitor-serving facilities,</p>	<p><u>Parks (OS-P)</u></p> <p>Public parks and recreational facilities.</p>	<p><u>Parks (OS-P)</u></p> <p>Public parks and recreational facilities, <u>which provide activities such as, but not limited to: picnic and observation areas, nature trails, peripheral bike paths, tot-lots, play fields, informational signs and/or displays.</u></p>

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
<p>the Land Use Plan designates the entire shoreline area between Pacific Coast Highway and the ocean from Warner Avenue to the Santa Ana River, for recreational use. Through additional policies, principal permitted uses in beach areas are limited to open sand areas, beach related recreational activities, and under certain conditions, parking lots, concessions and camping.</p> <p>Publicly-owned regional and community parks are also designated recreation in the Coastal Element. Local neighborhood parks are similar recreation uses, but because of their size, they are allowed under all designations except conservation. The recreation designation allows for more intensive uses if compatible with environmental resources. Uses include publicly and privately owned golf courses, tennis and boating clubs, athletic fields, stables, campgrounds, and other commercial recreation uses.</p>		<p><u>Ancillary development may include buildings such as maintenance equipment storage, restrooms, nature centers, concession stands, and parking.</u></p>
	<p><u>Shoreline (OS-S)</u></p> <p>Publicly owned coastal beaches. Ancillary buildings may be permitted, such as food stands and recreation equipment rentals, as determined by City review and approval.</p>	<p><u>Shoreline (OS-S)</u></p> <p>Publicly owned coastal beaches. Ancillary buildings <u>development</u> may be permitted, such as food stands, <u>parking lots, bathrooms,</u> and recreation equipment</p>

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
		rentals, as determined by City review and approval. <u>Ancillary development must be designed and sited to minimize encroachment onto sandy beach. Additionally ancillary development shall be sited such that it shall not need to be protected through any protective structure throughout its economic life.</u>
	<u>Commercial Recreation (OS-CR)</u> Publicly or privately owned commercial recreation facilities such as golf courses.	<u>Commercial Recreation (OS-CR)</u> Publicly or privately owned commercial recreation facilities such as golf courses, <u>stables, campgrounds, tennis courts, athletic fields, and boating clubs.</u>

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7. PUBLIC INSTITUTIONAL USES

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
<p><u>9.2.6 Other Uses</u></p> <p><u>Public, Quasi-Public, and Institutional</u></p> <p>This designation allows for a variety of uses essential to the well-being of the community at large, such as government facilities, high schools and colleges, libraries, police and fire stations and training facilities, utilities and other community facilities, and churches and institutional organizations. Libraries, fire stations, utility substations, and churches in the coastal zone are small and decentralized, and are therefore allowed under most land use designations without being individually shown on the land use map. The coastal plan designates one area public, quasi-public which is the Orange County Sanitation District's sewage treatment plant area.</p>	<p><u>Public (P)</u></p> <p>Governmental administrative and related facilities, such as public utilities, schools, public parking lots, infrastructure, religious and similar uses.</p>	<p><u>Public (P)</u></p> <p>Governmental administrative and related facilities, such as public utilities, schools, <u>libraries, museums,</u> public parking lots, infrastructure, religious and similar uses.</p>

Land Use Plan Suggested Modifications

8. OVERLAYS

1985 Coastal Element	Proposed Coastal Element Land Use		Suggested Modifications
<p><u>9.3 OVERLAYS</u></p> <p>An overlay has been prepared indicating those areas that are now utilized for mobile home parks. (See Figure 9.2) The City's Housing Element states that the City is to encourage the retention of existing numbers of mobile homes and investigate areas for potential new mobile home zoning.</p> <p>under the Coastal Act. Conditions to be imposed by the overlay include mitigation measures to maintain or enhance the functional capacity of the wetland.</p>	<p><u>OVERLAY CATEGORY</u></p> <p>Specific Plan -sp</p>	<p><u>CHARACTERSITICS</u></p> <p>Permits underlying land uses and requires that a Specific or Development plan be formulated for large scale, mixed-use multi-phased development projects which provides greater specificity for land use and infrastructure plans, design and development standards, and phasing/implementation.</p>	<p>Permits underlying land uses and requires that a Specific or Development plan be formulated for large scale, mixed-use multi-phased development projects which provides greater specificity for land use and infrastructure plans, design and development standards, and phasing/implementation.</p> <p><u>Any portion of a new or amended Specific Plan within the coastal zone must be submitted to the Coastal Commission as an amendment to the City's certified local coastal program and shall not become effective until certified by the Coastal Commission.</u></p>

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1985 Coastal Element	Proposed Coastal Element Land Use		Suggested Modifications
A conservation overlay has also been prepared which is, in effect, the same as the Conservation District but can be applied to specific sites for which future development may be appropriate if compatible with this element. The intent of this designation is to protect certain unique or environmentally sensitive areas without precluding other options which may be allowed			
	Pedestrian District -pd	Permits underlying land uses and requires conformance to land use (restrictions on non-pedestrian active uses) and design standards (e.g., siting of building frontages) to ensure high levels of pedestrian activity along the street frontage.	
	Historic District -h	Permits re-use of existing historic structures for the underlying land uses.	Permits re-use of existing historic structures for the underlying land uses <u>provided that the re-use is consistent with the standards and policies of this LCP.</u>

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Land Use		Suggested Modifications
	Mixed Use – mu	Permits the development of residential uses in conjunction with the underlying commercial designation. The overlay permits the development of horizontally or vertically integrated mixed use projects. The design and density for a mixed use project shall be as shown on the Coastal Element Land Use Map and this table. If a mixed use project is not proposed, then the density of the underlying commercial designation shall be utilized.	Permits the development of residential uses in conjunction with the underlying commercial designation. The overlay permits the development of horizontally or vertically integrated mixed use projects. The design and density for a mixed use project shall be as shown on the Coastal Element Land Use Map and this table. If a mixed use project is not proposed, then the density of the underlying commercial designation shall be utilized.
	Special Design Standards – d	Permits underlying land uses in accordance with special design standards.	Permits underlying land uses in accordance with special design standards <u>provided that the special design standards are consistent with the standards and policies of this LCP.</u>
	Residential Mobile Home Park – rmp	Permits the density of a mobile home park, located within a residential low density designation, to exceed the underlying density of seven (7) units per acre. The maximum density of the mobile home park shall not exceed the existing density of the mobile home park.	Permits the density of an <u>existing</u> mobile home park, located within a residential low density designation, to exceed the underlying density of seven (7) units per acre. The maximum density of the mobile home park shall not exceed the existing density of the mobile home park.

Land Use Plan Suggested Modifications

C. LAND USE POLICIES

The City's land use policies are divided hierarchically into three levels: Goals, Objectives, and Policies. Goals are identified by a the letter "C" followed by one or more numbers (lacking a trailing period) such as "C-1". Goals are abstract statements broadly defining the nature of subsequent objectives and policies. The City defines goals as "*A statement of the ultimate purpose of an effort. General in nature and not necessarily quantifiable.*"

Objective are more specific than goals and are meant to support the goal associated with the objective. The City defines objectives as "*A measurable goal*". Objectives consist of the letter "C" followed by two or more numbers separated by a period, such as "C 1.1". One or more objectives can be produced to support a goal.

Policies are the specific statements implementing the goals and objectives they are designed to support. The City defines policies as "*A specific statement guiding actions and implying clear commitment*". Land use policies are distinguishable from goals and objectives by the letter "C" followed by three or more numbers separated by periods such as "C 1.1.1" or "C 3.2.10". Thus policy C 1.1.1 (below) is the first land use plan policy which supports objective one of goal one of this Coastal Element. One or more policies can be formed to support an objective.

In terms of how "goals", "objectives", and "policies" are to be treated in the Coastal Element, the policies are the mandatory and enforceable component. The goals and objective provide background and context for the policies. Therefore, the standard of review for approving development under the Coastal Element are the policies which follow.

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
	C 1 (Goal) Develop a land use plan for the Coastal Zone that protects and enhances coastal resources, promotes public access and balances development with facility needs.	
	C 1.1 (Objective) Ensure that adverse impacts associated with coastal zone development are mitigated or minimized to the greatest	

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
	extent feasible. (New)	
	C 1.1.1 (Policy) With the exception of hazardous industrial development, new development shall be encouraged to be located within, contiguous or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services, and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. (I-C 1, I-C 2) (30250)	
		<u>C 1.1.X1</u> <u>Coastal dependent developments shall have priority over other developments on or near the shoreline.</u> <u>Coastal-related developments should be accommodated within reasonable proximity of the coastal-dependent uses they support. (30255)</u>
	C 1.1.2 The use of private lands suitable for visitor serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry. (I-C 1, I-C 2) (30222)	
	C 1.1.3	

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1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
	Where feasible, locate visitor-serving commercial uses in existing developed areas or at selected points of attraction for visitors. (I-C 1, I-C 2, I-C 4) (30250)	
	<p>C 1.1.4 Consider the following measures when designing and siting new residential development to ensure that it is located in a manner that maintains and enhances, where feasible, public access to the coast. (I-C 2, I-C 3, I-C 4) (30252)</p> <ul style="list-style-type: none"> a. Provide neighborhood commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads; b. provide non-automobile circulation such as bike trails and pedestrian walkways within the development; c. PROVIDE adequate parking facilities or a substitute means of serving the development with public transportation; d. provide for the recreational needs of new residents through local park acquisition or on-site recreational 	<p>C 1.1.4 Consider the following measures when designing and siting new residential development to ensure that it is located in a manner that maintains and enhances, where feasible, public access to the coast.</p> <p><u>New residential development should be sited and designed in such a manner that it maintains and enhances public access to the coast.</u> (I-C 2, I-C 3, I-C 4) (30252)</p> <ul style="list-style-type: none"> a. Provide neighborhood commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads; b. provide non-automobile circulation such as bike trails and pedestrian walkways within the development; c. provide adequate parking facilities or a substitute means of serving the development with public transportation; d. provide for the recreational needs of new residents through local park acquisition or on-site recreational

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
	facilities.	facilities <u>to assure that recreational needs of new residents will not overload nearby coastal recreation areas;</u> e. <u>facilitate the provision or extension of public transit service; and</u> f. <u>assure the potential for public transit for high intensity uses.</u>
	C 1.1.5 Temporary and seasonal activities within the coastal zone should be monitored and regulated through a permit process, and limited if necessary, to protect coastal resources from adverse impacts associated with the seasonal activities. (I-C 2) (New)	C 1.1.5 Temporary and seasonal activities within the coastal zone should <u>which do not qualify as exempt activities pursuant to the Commission's guidelines adopted by the Commission pursuant to Section 30610(i) of the Coastal Act shall</u> be monitored and regulated through a <u>the coastal development</u> permit process, and limited if necessary, to protect coastal resources from adverse impacts associated with the seasonal <u>or temporary</u> activities. (I-C 2) (New)
<u>6d.</u> Encourage cluster development in areas designated for residential use within the coastal zone.	C 1.1.6 Encourage cluster development in areas designated for residential use within the Coastal Zone. (I-C 1, I-C 2, I-C 4) (6d)	
	C 1.1.7 The City shall, at minimum, consider the following when evaluating annexation proposals in the Coastal Zone:	

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1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
	<ul style="list-style-type: none"> . Is the area to be annexed adjacent to existing corporate boundaries? . Does/will the area to be annexed contain land uses that are compatible with City land uses? . Does/will the area to be annexed contain land uses that have the ability to provide economic benefit to the City? . Would the area to be annexed place an undue or excessive burden on the City's or other service provider's ability to provide services? . Would the area to be annexed place an undue burden on school and other public services? (I-C 8, I-C 13) 	
	<p>C 1.1.8 Prior to new construction or substantial improvement, require specific measures to be taken by developers, builders or property owners in flood prone areas (Figure C-33), to prevent or reduce damage from flood hazards risks upon human safety. (I-C 20)</p>	<p>C 1.1.8 Prior to new construction or substantial improvement, require specific measures to be taken by developers, builders or property owners in flood prone areas (Figure C-33), to prevent or reduce damage from flood hazards risks upon human safety.</p> <p><u>Minimize risks to life and property in areas of high geologic, flood (Figure C-33) and fire hazard through siting and design to avoid the hazard.</u></p> <p><u>New development shall be designed to assure stability and structural integrity, and neither create nor contribute</u></p>

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
		<u>significantly to erosion, geologic instability, or destruction of the site or surrounding area or in anyway require the construction of a protective device.</u> (I-C 20) (30253)
	C 1.2 Provide a land use plan that balances location, type and amount of land use with infrastructure needs. (New)	
	C 1.2.1 Accommodate existing uses and new development in accordance with the Coastal Element Land Use Plan and the Development and Density Schedule Table C-1. (I-C 1) (New)	
	C 1.2.2 Require that development be designed to account for the unique characteristics of project sites and objectives for Coastal Zone character in accordance with the Development "Overlay" schedule listed in Table C-1, as appropriate. (I-C 1, I-C 2, I-C 4) (New)	
15a. Prior to issuance of a development entitlement, the City shall make the finding that adequate services (i.e., water, sewer, roads, etc.) can be provided to serve the proposed development, consistent with	C 1.2.3 Prior to the issuance of a development entitlement, the City shall make the finding that adequate services (i.e., water, sewer, roads, etc.) can be provided to serve the proposed development, consistent with	

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1985 Coastal Element	Proposed Coastal Element Land Use	Suggested Modifications
policies contained in the plan, at the time of occupancy.	policies contained in the Coastal Element, at the time of occupancy. <i>(I-C 8, I-C 22k,l)</i> (15a)	
15b. Pursue funding for projects to correct existing deficiencies in community facility systems in the coastal zone.	C 1.2.4 Pursue funding for projects to correct existing deficiencies in community facility systems in the coastal zone. <i>(I-C 10, I-C 17)</i> (15b)	
15c. Pursuant to the Bolsa Chica linear park agreement, establish the conceptual alignments for: <ul style="list-style-type: none"> • Edwards - 38th Street • Ellis Avenue • Garfield Avenue 	NA	

Land Use Plan Suggested Modifications

D. SHORELINE AND COASTAL RESOURCE ACCESS

1985 Coastal Element	Proposed Coastal Element Shoreline and Coastal Resource Access	Suggested Modifications
4. Provide public access to coastal resources when possible.	C 2 (Goal) Provide coastal resource access opportunities for the public where feasible and in accordance with the California Coastal Act requirements. (New)	
4b. Analyze the impact of current and projected recreation traffic on the City's circulation system.	C 2.1 (Objective) Balance the circulation system with the circulation demands generated by the implementation of the Coastal Land Use Plan. (4b)	
15d. Emphasize the following corridors, with signing, to facilitate beach traffic: <ul style="list-style-type: none"> ▪ Bolsa Chica Street to Warner Avenue to Pacific Coast Highway. ▪ Goldenwest Street ▪ Beach Boulevard ▪ Magnolia Street ▪ Brookhurst Street 	C 2.1.1 (Policy) Provide signs along the following corridors to guide and facilitate beach bound traffic: (I-C 9) (15d) <ul style="list-style-type: none"> ▪ Bolsa Chica Street to Warner Avenue to Pacific Coast Highway. ▪ Goldenwest Street ▪ Beach Boulevard ▪ Magnolia Street ▪ Brookhurst Street ▪ Springdale Street to Warner ▪ Edwards Street, Garfield, Seapoint to PCH 	
15m. Promote the increased capacity of Pacific Coast Highway if necessary to improve circulation and safety in the coastal zone.	C 2.1.2 Promote increasing the capacity of Pacific Coast Highway through re-striping and traffic signal synchronization to enhance traffic circulation and safety. Require that all	C 2.1.2 Promote increasing the capacity of Pacific Coast Highway through re-striping and traffic signal synchronization to enhance traffic circulation and safety. Require that

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1985 Coastal Element	Proposed Coastal Element Shoreline and Coastal Resource Access	Suggested Modifications
	recreational beach parking spaces removed due to re-striping be replaced at a one-to-one ratio. Parking replacement plan(s) shall be consistent with other local coastal program policies, as well as, the public access and recreation policies of the coastal act. (15m)	all recreational beach <u>and on-street</u> parking spaces removed due to re-striping be replaced at a one-to-one ratio. Parking replacement plan(s) shall be consistent with other local coastal program policies, as well as, the public access and recreation policies of the coastal act. <u>Replacement parking shall be provided based on the following standards:</u> <u>a. Replacement parking shall be provided prior to or concurrent with the loss of any parking.</u> <u>b. Replacement parking shall be provided either on-street, in parking lots, and/or parking structures which are within 500 feet of Pacific Coast Highway.</u> <u>c. Replacement parking shall be dispersed.</u> <u>d. Pedestrian access across Pacific Coast Highway shall be provided.</u> <u>e. Dispersed drop off points shall be provided on the seaward side of Pacific Coast Highway.</u> (15m)
	C 2.2 Encourage the use of City and State beaches as a destination point for bicyclists, pedestrians, shuttle systems and other non-auto oriented transport. (New)	
	C 2.2.1 Encourage the utilization of easements and/or rights-of-way along flood control channels,	

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1985 Coastal Element	Proposed Coastal Element Shoreline and Coastal Resource Access	Suggested Modifications
	public utilities, railroads and streets, wherever practical, for the use of bicycles and/or pedestrians. (I-C 8)	
	C 2.2.2 Maintain existing pedestrian facilities and require new development to provide pedestrian walkways and bicycle routes between developments. (I-C 9)	
	C 2.2.3 Allow for the development of a pedestrian overpass between the Waterfront Development and the ocean side of Pacific Coast Highway, and in other areas where feasible and necessary, to facilitate safe pedestrian access and safe efficient vehicular movement. (New)	C 2.2.3 Allow for Encourage the development of a pedestrian overpass between the Waterfront Development and the ocean side of Pacific Coast Highway, and in other areas where feasible and necessary, to facilitate safe pedestrian access and safe efficient vehicular movement. (New)
	C 2.2.4 Adopt candidate locations for water-oriented transportation facilities, located in commercial areas in Huntington Beach Harbour. (I-C 1, I-C 9, I-C 22d)	
	C 2.2.5 Link bicycle routes with pedestrian trails and bus routes to promote an interconnected system. (I-C 9, I-C 22d)	
2f. Provide additional bike racks to encourage the use of City and State beaches as a destination point for bicyclists, and encourage the State to do the same.	C 2.2.6 Provide adequate bike racks at appropriate locations within the Coastal Zone with special emphasis for facilities adjacent to the beach. (I-C 9, I-C 22d) (2f)	

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1985 Coastal Element	Proposed Coastal Element Shoreline and Coastal Resource Access	Suggested Modifications
	C 2.2.7 Develop a riding and hiking trail network and support facilities that provide linkages within the Coastal Zone where feasible and appropriate. <i>(I-C 9, I-C 22d)</i> (New)	
2e. Pursue implementation of a bike trail from the Pier to the southern edge of the Bolsa Chica State Beach parking lot in order to provide a continuous bike trail along the beach within the City.	C 2.2.8 Pursue widening the existing Class I Coastal Bikeway between the Pier and Bolsa Chica State Beach to 20 feet. <i>(I-C 9, I-C 22d)</i> (Amended 2e)	

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E. TRANSIT

1985 Coastal Element	Proposed Coastal Element Transit	Suggested Modifications
	C 2.3 (Objective) Promote mass transit opportunities within the Coastal Zone. (New)	
15g. In serving additional recreational traffic demand, place primary emphasis on facilitating public transit.	C 2.3.1 (Policy) In serving additional recreational traffic demand, place primary emphasis on facilitating public transit. (I-C 9) (15g)	C 2.3.1 (Policy) In serving additional recreational traffic demand, place primary emphasis on facilitating public transit <u>such as providing incentives to use public transit while maintaining the present level of parking.</u> (I-C 9) (15g)
15f. Determine the existing and potential demand for public transit service at major destination points within the coastal zone and promote increased service through cooperation with O.C.T.D.	C 2.3.2 Augment the existing bus routes with any new bus routes designated in the Orange County Transportation Authority (OCTA) Future Transit Needs Study, as appropriate and necessary. (I-C 9, I-C 21d)	
15f. Determine the existing and potential demand for public transit service at major destination points within the coastal zone and promote increased service through cooperation with O.C.T.D.	C 2.3.3 Encourage the Orange County Transportation Authority to locate bus turnouts along Pacific Coast Highway and other major arterial roads within the City, if feasible and appropriate. (I-C 9, I-C 22d) (New)	
15i. Preserve the Pacific Electric right-of-way parallel to Lake Street within the coastal zone as a transit corridor.	C 2.3.4 Continue to reserve the abandoned rail right of way, located parallel to Lake Street, for a future transportation use such as a transit, pedestrian and/or bicycle facility. (I-C 9, I-C 22d)	

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1985 Coastal Element	Proposed Coastal Element Transit	Suggested Modifications
<p>15h. Encourage the development of a transportation center in the coastal zone which will be:</p> <ul style="list-style-type: none"> • Located to serve local commuter and recreational traffic. • Convenient to concentrations of people. • Sited to minimize adverse impacts on adjacent uses. <p>15k. Work with OCTD for the development of a transportation center within the coastal zone.</p>	<p>C 2.3.5 Encourage the development of a transportation center in the Coastal Zone in or near the Downtown area. The transportation center should be located to serve both local and commuter traffic and should be sited so as to minimize adverse impacts from the use on adjacent land uses. (I-C 1, I-C 9, I-C 22d) (15h)</p>	<p>C 2.3.5 Encourage the development of a transportation center in the Coastal Zone in or near the Downtown area. The transportation center should be located to serve both local and commuter traffic, <u>to promote coastal access,</u> and should be sited so as to minimize adverse impacts from the use on adjacent land uses. (I-C 1, I-C 9, I-C 22d) (15h)</p>
		<p><u>C 2.3.X1</u> <u>New development, such a multi-unit housing and commercial centers, should maintain and enhance public access to the coast through provisions for enhancing or encouraging ridership on public transportation. (30252)</u></p>
	<p>C 2.3.6 Provide for future use of water borne passenger services along ocean frontages and harbor waterways. (I-C 1, I-C 9, I-C 22d)</p>	

Land Use Plan Suggested Modifications

F. PARKING

1985 Coastal Element	Proposed Coastal Element Parking	Suggested Modifications
	C 2.4 (Objective) Balance the supply of parking with the demand for parking. (New)	
	C 2.4.1 (Policy) Maintain an adequate supply of parking that supports the present level of demand and allows for the expected increase in private transportation use. (I-C 9)	
15I. Ensure that adequate parking is provided in all new development in the coastal zone utilizing one or a combination of the following: <ul style="list-style-type: none"> • Apply the City's parking standards at a minimum. • Develop parking assessment districts to build off-site parking structures. • Utilize new parking standards specific to the Coastal Zone in conjunction with the development of off-site parking strategies. 	C 2.4.2 Ensure that adequate parking is provided in all new development in the Coastal Zone utilizing one or a combination of the following: (I-C 9) (15I) <ul style="list-style-type: none"> a. Apply the City's parking standards at a minimum. b. Implement the Downtown Parking Master Plan c. Consider developing new parking standards specific to the coastal zone, subject to Coastal Commission approval. d. Develop parking assessment districts to fund off-site parking structures, if necessary. e. Monitor parking programs to make the most effective use of parking resources. 	C 2.4.2 Ensure that adequate parking is <u>maintained and</u> provided in all new development in the Coastal Zone utilizing one or a combination of the following: (I-C 9) (15I) (30212.5) <ul style="list-style-type: none"> a. Apply the City's parking standards at a minimum. b. Implement the Downtown Parking Master Plan c. Consider developing new parking standards specific to the coastal zone, subject to Coastal Commission approval. d. Develop parking assessment districts to fund off-site parking structures, if necessary. e. Monitor parking programs to make the most effective use of parking resources. f. <u>Replace any on-street parking lost in the coastal zone on a 1:1 basis within</u>

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1985 Coastal Element	Proposed Coastal Element Parking	Suggested Modifications
		<u>the coastal zone prior to or concurrent with the loss of any parking spaces.</u>
	C 2.4.3 Consider the cost effectiveness of new parking facilities and encourage those that re-coup the cost of providing the land, structures, maintenance and management of the facilities in order to minimize ongoing municipal costs. <i>(I-C 9) (New)</i>	
15j. Encourage the use of parking areas outside the coastal zone for passenger cars and the development of alternate transportation modes for beach users.	C 2.4.4 Encourage the use of parking areas outside the Coastal Zone for passenger cars and the development of alternate transportation modes for beach users. <i>(I-C 9) (15j)</i>	C 2.4.4 Encourage the use of <u>Develop</u> parking areas outside the Coastal Zone for passenger cars and the development of alternate transportation modes for beach users <u>including incentives for parking in those locations.</u> <i>(I-C 9) (15j)</i>
	C 2.4.5 Allow for the use of alternative parking mechanisms such as residential parking permits to minimize conflicts between beach parking demands and residential parking needs. <i>(I-C 9) (New)</i>	C 2.4.5 Allow for the use of alternative parking mechanisms such as residential parking permits to minimize conflicts between beach parking demands and residential parking needs. <u>Prohibit the establishment of preferential parking districts, whenever it would adversely affect public access to the coast through a reduction in the availability of on-street spaces for public visitors to the coast.</u> <i>(I-C 9) (New)</i>

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1985 Coastal Element	Proposed Coastal Element Parking	Suggested Modifications
		<p><u>C 2.4.X1</u> <u>Consistent with the Water and Marine Resources policies of this LCP, design parking lots to minimize the adverse impacts of urban runoff by:</u></p> <p>a. <u>minimizing the area covered by impervious surfaces,</u> b. <u>minimizing pollutant loads associated with runoff, and</u> c. <u>periodic sweeping of parking lots on a regular basis.</u></p>
<p>15e. Study alternative mechanisms for improving parking in Downtown.</p>	N.A.	

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G. DIRECT ACCESS

1985 Coastal Element	Proposed Coastal Element Direct Access	Suggested Modifications
	C 2.5 (Objective) Maintain and enhance, where feasible, existing shoreline and coastal resource access sites. (New)	
4g. Preserve and where possible, provide additional public access to the Huntington Harbour waterways; assemble for public information the full legal documentation to identify the public rights-of-way, ownership and other agreements concerning the Huntington Harbour channels including applicable homeowners association deed restrictions.	C 2.5.1 (Policy) Require that existing public access to the shoreline and Huntington Harbour waterways be maintained and enhanced, where necessary and feasible, not withstanding overriding safety, environmental or privacy issues. <i>(I-C 22m)</i> (New)	
	C 2.6 (Objective) Promote and provide, where feasible, additional public access, including handicap access, to the shoreline and other coastal resources. (New)	
4a.(1) Require an offer of dedication of an easement in all new development to allow vertical access to the shoreline or to public recreation areas or to public trails and bikeways unless:	C 2.6.1 (Vertical) Require an offer of dedication of an easement in all new development, pursuant to Article 2, Section 30212 of the Coastal Act, to allow vertical access to the shoreline or to public recreation areas or to public trails and bikeways unless the following condition(s) exists: <i>(I-C 2, I-C 8)</i> <i>(Note:</i>	

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1985 Coastal Element	Proposed Coastal Element Direct Access	Suggested Modifications
<ul style="list-style-type: none"> • Adequate access exists nearby or is proposed by the land use plan within 1000 feet; or • Access at the site would: significantly degrade environmentally sensitive habitat areas; or • Findings are made consistent with Section 30212 of the Coastal Act that access is inconsistent with public safety, military security needs, or that agriculture would be adversely affected; or • The parcel is too narrow for an adequate privacy buffer separating the accessway from the existing residence and would therefore adversely affect the privacy of the property owner. The following guideline shall be used in determining adequate privacy buffers: There should be at least 15 feet between the existing residence and the side yard property line for an adequate buffer. • Offers of dedication for vertical access in accordance with policy 4a shall be provided only to sandy beaches and recreation areas and in conjunction with development on vacant parcels, 	<p><i>These exceptions shall not apply to the Transit Corridor) (4a)</i></p> <ul style="list-style-type: none"> a. Adequate access exists nearby or is proposed by the land use plan within 1000 feet; or b. Access at the site would significantly degrade environmentally sensitive habitat areas; or c. Findings are made, consistent with Section 30212 of the Coastal Act, that access is inconsistent with public safety, military security needs, or that agriculture would be adversely affected; or d. The parcel is too narrow for an adequate privacy buffer separating the accessway from the existing residence and would therefore adversely affect the privacy of the property owner. e. The following guideline shall be used in determining adequate privacy buffers: There should be at least 15 feet between the existing residence and the side yard property line for an adequate buffer. f. Offers of dedication for vertical access in accordance with this policy shall be provided only to sandy beaches and recreation areas and in conjunction with development on vacant parcels, replacement of existing structures or in 	

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1985 Coastal Element	Proposed Coastal Element Direct Access	Suggested Modifications
<p>replacement of existing structures or in commercial projects.</p> <p>These exceptions shall not apply to the Pacific Electric right-of-way.</p> <p>4g. Preserve and where possible, provide additional public access to the Huntington Harbour waterways; assemble for public information the full legal documentation to identify the public rights-of-way, ownership and other agreements concerning the Huntington Harbour channels including applicable homeowners association deed restrictions.</p>	<p>commercial projects.</p>	
<p>4a.(2) Require an offer for dedication of an easement in all new development to allow lateral access along the shoreline, public recreation areas or to public trails and bikeways unless:</p> <ul style="list-style-type: none"> Findings are made consistent with Section 30212 of the Coastal Act that access is inconsistent with public 	<p>C 2.6.2 (Lateral) Require an offer of dedication of an easement in all new development, pursuant to Article 2, Section 30212 of the Coastal Act, to allow lateral access along the shoreline, public recreation areas or to public trails and bikeways unless the following condition(s) exists: <i>(I-C 2, I-C 8)</i> <i>(Note: These exceptions shall not apply to the Transit Corridor)</i> (4a)</p> <p>a. Findings are made consistent with Section 30212 of the Coastal Act that access is inconsistent with public safety, military security needs, or that</p>	<p>C 2.6.2 (Lateral) Require an offer of dedication of an easement in all new development, pursuant to Article 2, Section 30212 of the Coastal Act, to allow lateral access along the shoreline, public recreation areas or to public trails and bikeways unless the following condition(s) exists: <i>(I-C 2, I-C 8)</i> <i>(Note: These exceptions shall not apply to the Transit Corridor)</i> (4a)</p> <p>a. Findings are made consistent with Section 30212 of the Coastal Act that access is inconsistent with public safety, military security needs, or that</p>

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Direct Access	Suggested Modifications
<p>safety, military security needs, or that agriculture would be adversely affected; or,</p> <ul style="list-style-type: none"> • Access at the site would significantly degrade environmentally sensitive habitat areas; or • The parcel is too narrow for an adequate privacy buffer separating the lateral accessway from an existing residence. The following guideline shall be used in determining adequate privacy buffers: There must be at least 15 feet between an existing residence, patio cover or pool and the shoreline in order to accommodate both an accessway and the privacy buffer. <p>These exceptions shall not apply to the Pacific Electric right-of-way.</p> <p>An offer of dedication for lateral access in accordance with policy 4a shall be required only in conjunction with new development on vacant parcels and along all sandy beach areas. In existing developed residential areas which do not front a sandy beach area, access will generally only be required where it can be accomplished with the privacy standards established above. Access to the bulkhead areas of Huntington Harbour is generally not appropriate, because in most cases it cannot be</p>	<p>agriculture would be adversely affected; or</p> <ul style="list-style-type: none"> b. Access at the site would significantly degrade environmentally sensitive habitat areas; or c. The parcel is too narrow for an adequate privacy buffers separating the lateral accessway from an existing residence. The following guideline shall be used in determining adequate privacy buffers: there must be at least 15 feet between an existing residence, patio cover or pool and the shoreline in order to accommodate both an accessway and the privacy buffer. d. An offer of dedication for lateral access in accordance with this policy shall be required only in conjunction with new development on vacant parcels and along all sandy beach areas. In existing developed residential areas which do not front a sandy beach area, access will generally only be required where it can be accomplished with the privacy standards established above. Access to the bulkhead areas of Huntington Harbour is generally not appropriate, because in most cases it cannot be provided consistent with privacy standards. However, there may be situations where access to and along the bulkhead is appropriate. Where a 	<p>agriculture would be adversely affected; or</p> <ul style="list-style-type: none"> b. Access at the site would significantly degrade environmentally sensitive habitat areas; or c. The parcel is too narrow for an adequate privacy buffers <u>buffer</u> separating the lateral accessway from an existing residence. The following guideline shall be used in determining adequate privacy buffers: there must be at least 15 feet between an existing residence, patio cover or pool and the shoreline in order to accommodate both an accessway and the privacy buffer. d. An offer of dedication for lateral access in accordance with this policy shall be required only in conjunction with new development on vacant parcels <u>or redevelopment</u> and along all sandy beach areas. <u>Development or redevelopment on parcels along the coast shall be setback a minimum of twenty-five feet.</u> In existing developed residential areas which do not front a sandy beach area, access will generally only be required where it can be accomplished with the privacy standards established above. Access to the bulkhead areas of Huntington Harbour is generally not appropriate, because in most cases it cannot be provided

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Direct Access	Suggested Modifications
<p>provided consistent with privacy standards. However, there may be situations where access to and along the bulkhead is appropriate. Where a parcel is large enough to provide public access consistent with the privacy standards in new development, access along the bulkhead may be appropriate, particularly if public use areas such as fishing piers can be reached or provided in new development through such accessways.</p> <p>4g. Preserve and where possible, provide additional public access to the Huntington Harbour waterways; assemble for public information the full legal documentation to identify the public rights-of-way, ownership and other agreements concerning the Huntington Harbour channels including applicable homeowners association deed restrictions.</p>	<p>parcel is large enough to provide public access consistent with the privacy standards in new development, access along the bulkhead may be appropriate, particularly if public use areas such as fishing piers can be reached or provided in new development through such accessways.</p>	<p>consistent with privacy standards. However, there may be situations where access to and along the bulkhead is appropriate. Where a parcel is large enough <u>Development or redevelopment on parcels adjoining bulkheads shall be setback a minimum of twenty-five feet</u> to provide public access consistent with the privacy standards in new development, access along the bulkhead may be appropriate, particularly if public use areas such as fishing piers can be reached or provided in new development through such accessways.</p>
<p>4a.(4) The City shall accept offers of dedication for access consistent with its ability to assume maintenance and liability. If not accepted by the City, offers of dedication for access may be accepted by any other public agencies or private association, provided that any association or agency which proposes to accept accessways must be able to assume maintenance and</p>	<p>C 2.6.3 The City shall accept offers of dedication for access consistent with its ability to assume maintenance and liability. If not accepted by the City, offers of dedication for access may be accepted by any other public agency or private association, provided that any association or agency which proposes to accept accessways is able to assume maintenance and operation</p>	

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1985 Coastal Element	Proposed Coastal Element Direct Access	Suggested Modifications
operation of such accessway prior to opening it to the public.	of such accessway prior to opening it to the public. <i>(I-C 2, I-C 8)</i> (4a)	
4a.(3) In no case shall development in any way diminish or interfere with the public's right of access to the sea where acquired through use or legislative authorization.	C 2.6.4 Development shall not interfere with the public's right of access to the sea where acquired through use of legislative authorization, including but not limited to the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation. <i>(I-C 2, I-C 8)</i> (30211)	
	C 2.6.5 Promote the incorporation of pedestrian/equestrian/bike trail linkages to the shoreline within the proposed Harriet M. Wieder Regional Park where feasible. <i>(I-C 2, I-C 9)</i> (New)	
4h. Promote public access to coastal wetlands for limited nature study, passive recreation and other low intensity uses compatible with the sensitive nature of these areas.	C 2.6.6 Promote public access to coastal wetlands for limited nature study, passive recreation and other low intensity uses that are compatible with the sensitive nature of these areas. <i>(I-C 2, I-C 9, I-C 22b)</i> (4h)	
4i. Pursue local, State and federal funding to provide and maintain boardwalks, peripheral trails, interpretive exhibits and other educational facilities in coastal wetlands.	C 2.6.7 Pursue local, State and Federal funding to provide and maintain boardwalks, peripheral trails, interpretive exhibits and other educational facilities in coastal wetlands where compatible. <i>(I-C 17)</i> (4i)	
	C 2.7 Promote public awareness of existing access opportunities to coastal resources.	

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1985 Coastal Element	Proposed Coastal Element Direct Access	Suggested Modifications
4f. Establish a signing program which will identify public accessways, bikeways, recreation areas and vista points throughout the coastal zone.	C 2.7.1 Maintain and enhance, where necessary, the coastal resource signing program that identifies public access points, bikeways, recreation areas and vista points throughout the Coastal Zone. (I-C 3, I-C 9, I-C 14) (4f)	
	C 2.7.2 Pursue local, state and federal funding to facilitate the development, implementation and maintenance of a public signing program. (I-C 17) (New)	
4g. Preserve and where possible, provide additional public access to the Huntington Harbour waterways; assemble for public information the full legal documentation to identify the public rights-of-way, ownership and other agreements concerning the Huntington Harbour channels including applicable homeowners association deed restrictions.	C 2.7.3 Assemble and make available for public information purposes, the documentation necessary to identify the public rights-of-way, ownership and other agreements concerning the Huntington Harbour channels including applicable homeowners' association deed restrictions. (I-C 22m) (4g)	
	C 2.8 Promote pedestrian safety in providing coastal resource access. (New)	
4c. Promote safe pedestrian access to the beach from the inland side of Pacific Coast Highway.	C 2.8.1 Promote safe pedestrian access to the beach from the inland side of Pacific Coast Highway. (I-C 2, I-C 9) (4c)	
	C 2.8.2 Provide for the use of a pedestrian	

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1985 Coastal Element	Proposed Coastal Element Direct Access	Suggested Modifications
	overpass connecting the Waterfront development to the beach parking area, and in other areas where feasible and necessary to enhance pedestrian safety. <i>(I-C 9) (New)</i>	
4d. Initiate cooperative planning efforts with the State Parks and Recreation Department and affected private parties and pursue funding to develop a pedestrian access program from Pacific Coast Highway to the beach in the area from Ninth Street north to the southern edge of the Bolsa Chica State, Beach parking lot.	C 2.8.3 Initiate cooperative planning efforts with the State Parks and Recreation Department and other responsible agencies and affected private parties, and pursue funding to develop a pedestrian access program to safely link the north side of Pacific Coast Highway to the beach. <i>(I-C 9, I-C 12, I-C 16) (New) (4d)</i>	

H. RECREATIONAL AND VISITOR SERVING FACILITIES

1985 Coastal Element	Proposed Coastal Element Recreation & Visitor Serving Facilities	Suggested Modifications
1. Provide for maximum recreational opportunities along the City and State beaches.	C 3 Provide a variety of recreational and visitor commercial serving uses for a range of cost and market preferences. (New)	
2. Protect encourage, and where feasible provide a variety of recreation facilities which provide opportunities for all income groups.		

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1985 Coastal Element	Proposed Coastal Element Recreation & Visitor Serving Facilities	Suggested Modifications
<p>5. Protect, encourage, and where feasible provide visitor serving facilities in the coastal zone which are varied in type and price.</p> <p>15. Promote the provision of adequate community facilities within the coastal zone.</p>		
	<p>C 3.1 Preserve, protect and enhance, where feasible, existing public recreation sites in the Coastal Zone. (30221)</p>	
<p>1a. Prohibit development of permanent above-ground structures on the beach sand area with the exception of the following permitted uses:</p> <ul style="list-style-type: none"> • Lifeguard towers and other facilities necessary for public safety • Public restrooms and beach Concession stands when located immediately adjacent to paved parking or access areas • Reconstruction and expansion related to the Municipal Pier • Fire rings and volleyball nets • Bike trails, bike support facilities, and 	<p>C 3.1.1 Prohibit development of permanent above ground structures on the beach sand area with the exception of the following conditionally permitted uses: (I-C 1, I-C 2) (1a)</p> <ul style="list-style-type: none"> a. Lifeguard towers and other facilities necessary for public safety. b. Public restrooms and beach concession stands when located immediately adjacent to paved parking or access areas. c. Reconstruction and/or expansion related to the Municipal Pier. d. Fire rings and volleyball nets. e. Pedestrian trails. 	<p>C 3.1.1 Prohibit development of permanent above ground structures on the beach sand area with the exception of the following conditionally permitted uses: (I-C 1, I-C 2) (1a)</p> <ul style="list-style-type: none"> a. Lifeguard towers and other facilities necessary for public safety. b. Public restrooms and beach concession stands when located immediately adjacent to paved parking or access areas. c. Reconstruction and/or expansion related to the Municipal Pier. d. Fire rings and volleyball nets.

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1985 Coastal Element	Proposed Coastal Element Recreation & Visitor Serving Facilities	Suggested Modifications
handicapped access	f. Bike trails, bike support facilities, and handicapped access. g. Public camping and recreational vehicle facilities. h. Shade structures and picnic facilities. i. Pedestrian overpasses.	e. Pedestrian trails <u>including those necessary for handicapped access.</u> f. Bike trails, bike support facilities, and handicapped access. g. Public camping and recreational vehicle facilities. h. Shade structures and picnic facilities. i. Pedestrian overpasses.
1b. Prohibit expansion of parking facilities that would result in the loss of recreational sand area; expansion of parking facilities on Huntington State Beach between the existing parking area and Pacific Coast Highway would be permitted subject to: <ul style="list-style-type: none"> • City approval of design and landscaping plans • State assurance that curbs, gutters, sidewalks, transit turnouts and street lighting will be provided when improvements to this section of Pacific Coast Highway are implemented. 	C 3.1.2 Prohibit the expansion of parking facilities that would result in the loss of recreational sand area with the exception of those areas listed below: (I-C 1, I-C 2) <ol style="list-style-type: none"> 1. Conditionally provide for the expansion of parking facilities onto the vacated oil production area located between the existing seawall and bluff face between Goldenwest and 9th Streets. 2. Conditionally provide for the expansion of parking facilities at Huntington City Beach between Beach Boulevard and First Street, in the area known as South Beach located between the existing parking lot and bike/pedestrian path. (New) 	C 3.1.2 Prohibit the expansion of parking facilities that would result in the loss of recreational sand area with the exception of those areas <u>the area</u> listed below:—(I-C 1, I-C 2) <ol style="list-style-type: none"> 1. Conditionally provide for the expansion of parking facilities onto the vacated oil production area <u>that is elevated above the beach</u> located between the existing seawall and bluff face between Goldenwest and 9th Streets. 2. Conditionally provide for the expansion of parking facilities at Huntington City Beach between Beach Boulevard and First Street, in the area known as South Beach located between the existing parking lot and bike/pedestrian path. (New)
		<u>C 3.1.XI</u> <u>Upland areas necessary to support</u>

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1985 Coastal Element	Proposed Coastal Element Recreation & Visitor Serving Facilities	Suggested Modifications
		<u>coastal recreational uses shall be reserved for such uses, where feasible. (30223)</u>
	C 3.2 Ensure that new development and uses provide a variety of recreational facilities for a range of income groups, including low cost facilities and activities. (New) (30213)	
2l. Encourage, where feasible, facilities and programs which increase and enhance public recreational opportunities in Huntington Harbour.	C 3.2.1 Encourage, where feasible, facilities, programs and services that increase and enhance public recreational opportunities in the Coastal Zone. (I-C 2, I-C 22c, d and e) (30213 and 2l)	
2k. Encourage privately-owned recreation facilities to be open to the public.	C 3.2.2 Encourage privately-owned recreation facilities on both private and public land to be open to the public. (30213 and 2k)	C 3.2.2 Encourage Privately-owned recreation facilities on both private and public land to <u>shall</u> be open to the public. (30213 and 2k)
5a. Encourage the provision of additional restaurants and hotel/motel accommodations in keeping with the alternative chosen by the City Council.	C 3.2.3 Encourage the provision of a variety of visitor- serving commercial establishments within the Coastal Zone, including, but not limited to, shops, restaurants, hotels and motels, day spas and time-shares (vacation ownership). (I-C 1, I-C 2, I-C 3, I-C 4) (New)	C 3.2.3 Encourage the provision of a variety of visitor- serving commercial establishments within the Coastal Zone, including, but not limited to, shops, restaurants, hotels and motels, <u>and</u> day spas and time-shares (vacation ownership) . (I-C 1, I-C 2, I-C 3, I-C 4) (New)

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1985 Coastal Element	Proposed Coastal Element Recreation & Visitor Serving Facilities	Suggested Modifications
		<p><u>C 3.2.X1</u> <u>Timeshares may be permitted in Commercial General District (CG) and Mixed Use Districts (M, MH, and MV) provided that any such project be conditioned as follows:</u> <u>a. That at least twenty-five percent of the units be permanently reserved for transient overnight accommodations during the summer season (beginning the day before the Memorial Day weekend and ending the day after Labor Day).</u> <u>b. That the timeshare facility operate as a hotel including requirements for a centralized reservations system, check-in services, advertising, security, and daily housecleaning.</u></p>
<p>5c. Establish as a continuing program the dual use of the City beach parking lots for recreational vehicle camping during winter months.</p>	<p>C 3.2.4 Establish an ongoing program to permit recreational vehicle camping during the winter months at City beach parking lots. (I-C 22j) (5c)</p>	
<p>5b. Encourage additional overnight R.V. camping facilities, adequately screened, in the recreation areas on both sides of Newland Street near Pacific Coast Highway and on the State beach parking lots, during the winter months.</p>	<p>C 3.2.5 Encourage additional overnight recreational vehicle camping facilities, adequately screened, in the recreation areas on both sides of Newland Street near Pacific Coast Highway and on the State beach parking lots during the winter months. (I-C 22j) (5b)</p>	

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1985 Coastal Element	Proposed Coastal Element Recreation & Visitor Serving Facilities	Suggested Modifications
	C 3.2.6 Investigate the feasibility of providing year round camping below the bluffs, northwest of the Municipal Pier, between Ninth Street and Goldenwest Street. (New) (I-C 22))	
	C 3.2.7 Promote the implementation of and funding for the proposed Orange Coast River Park concept. The Orange Coast River Park is envisioned as a linkage of public parks (Talbert and Fairview Regional Parks) and private open space lands along and near the mouth of the Santa Ana River, including possible linkages with open space lands located on the inland side of Pacific Coast Highway, between the Santa Ana River and Beach Boulevard in Huntington Beach. (I-C 1, I-C 2, I-C 17) (New)	
	C 3.2.8 Promote and support the implementation of the proposed Wintersburg Channel Class I Bikeway. (I-C 1, AND I-C 2) (New)	
2c. Support the development of the Bolsa Chica linear park and the implementation of a continuous trail system from Huntington Central Park to the beach along the perimeter of the Bolsa Chica; establish an implementation plan for the Bolsa Chica linear park in cooperation with the County of Orange.	C 3.2.9 Promote and support the development of, the City and County portions of the Harriett M. Wieder Regional Park. Include a continuous trail system from Huntington Central Park to the beach, along the eastern border of the Bolsa Chica wetlands, if feasible. (I-C 1, I-C 2 and I-C 17)	

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1985 Coastal Element	Proposed Coastal Element Recreation & Visitor Serving Facilities	Suggested Modifications
<p>4j. Support the development of the Bolsa Chica linear park and the implementation of a continuous trail system from Huntington Central Park to the beach along the western perimeter of the Holly Seacliff Master Plan area.</p>		
<p>2d. Support recreational facilities in the Boise Chica Linear Park that:</p> <ul style="list-style-type: none"> • Emphasize a low intensity character for that portion of the park within the city's coastal zone. • Locate any higher intensity uses in nodes consistent with adjacent areas. • Limit aboveground structures to support facilities such as restrooms, picnic tables, and bike racks. • Site all uses so as to preserve views to the adjacent Bolsa Chica. <p>4k. Provide public access to the linear park as a coastal resource, by providing a public bluff-top road to the park area.</p> <p>4l. Prohibit development of the bluff faces at</p>	<p>C 3.2.10 Encourage and support the following recreational facilities and design characteristics within the Harriett M. Wieder Regional Park: (I-C 1, I-C 2) (2d)</p> <ul style="list-style-type: none"> a. Limit above ground structures to support facilities such as restrooms, picnic tables, bike racks, view points, interpretive centers and educational facilities. (2d) b. Site facilities and uses to maximize view opportunities to the adjacent Bolsa Chica. (2d) c. Provide public access to the Regional Park as a coastal resource, by providing a public bluff top road to the park area. (4k) d. Prohibit development of the bluff faces at the eastern edge of the Bolsa Chica wetlands that would alter the natural landform or threaten stability of the bluffs, with the exception of drainage or other facilities needed to maintain public health and safety. (4l) e. Require adjacent land uses to provide 	<p>C 3.2.10 Encourage and support the following recreational facilities and design characteristics within the Harriett M. Wieder Regional Park: (I-C 1, I-C 2) (2d)</p> <ul style="list-style-type: none"> a. Limit above ground structures to support facilities such as restrooms, picnic tables, bike racks, view points, interpretive centers and educational facilities. (2d) b. Site facilities and uses to maximize view opportunities to the adjacent Bolsa Chica. (2d) c. Provide public access to the Regional Park as a coastal resource, by providing a public bluff top road to the park area. (4k) d. Prohibit development of the bluff faces at the eastern edge of the Bolsa Chica wetlands that would alter <u>in order to preserve</u> the natural landform or threaten <u>and maintain</u> stability of the bluffs, with the exception of drainage. <u>Drainage improvements</u> or other

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1985 Coastal Element	Proposed Coastal Element Recreation & Visitor Serving Facilities	Suggested Modifications
<p>the western edge of the Holly Seacliff area which would alter the natural landform or threaten stability of the bluffs.</p> <p>4m. Locate residential development in such a manner as to preserve access to the linear park.</p> <p>4n. Promote the removal and clean-up of oil operations within the linear park.</p>	<p>and/or preserve access to the Regional park. (4m)</p> <p>f. Promote the removal of oil operations within the park. (4n)</p> <p>g. Support the proposed Class I Bikeway through the park</p> <p>h. Provide adequate parking for the park.</p>	<p>facilities needed to maintain public health and safety <u>are allowed to the minimum extent necessary.</u> (4l)</p> <p>e. Require adjacent land uses to provide and/or preserve access to the Regional park. (4m)</p> <p>f. Promote the removal of oil operations within the park. (4n)</p> <p>g. Support the proposed Class I Bikeway through the park</p> <p>h. Provide adequate parking for the park.</p> <p>i. <u>Facilitate the provision of transit service including bicycling to the park.</u></p>
<p>2c. Support the development of the Bolsa Chica linear park and the implementation of a continuous trail system from Huntington Central Park to the beach along the perimeter of the Bolsa Chica; establish an implementation plan for the Bolsa Chica linear park in cooperation with the County of Orange.</p> <p>4j. Support the development of the Bolsa Chica linear park and the implementation of a continuous trail system from Huntington Central Park to the beach along the western perimeter of the Holly Seacliff Master Plan area.</p>	<p>C 3.2.11 Pursue an implementation plan for the Regional Park in cooperation with the County of Orange. (I-C 1, I-C 2) (2c)</p>	
2g.	C 3.2.12	

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1985 Coastal Element	Proposed Coastal Element Recreation & Visitor Serving Facilities	Suggested Modifications
<p>Actively pursue county State and federal funding for coastal projects including:</p> <ul style="list-style-type: none"> • Renovation of the Huntington Beach Municipal Pier. • Provision of nature walks and other educational opportunities in environmentally sensitive habitats where compatible. • Development of the Bolsa Chica linear park. 	<p>Actively pursue County, State and Federal funding for development of the Harriett M. Wieder Regional Park. Work to ensure that funds earmarked for the Regional Park are not transferred to other projects. (I-C 17) (2g)</p>	
	<p>C 3.3 (Objective) Consider long term fiscal and liability impacts of new or expanded recreational facilities within the Coastal Zone and minimize impacts where feasible. (New)</p>	
<p>2j. Establish the responsibility for maintenance prior to approval of a marina or other major recreational facility.</p>	<p>C 3.3.1 Establish the responsibility for long term maintenance and liability prior to approval of any major recreational facility, including marina, public park, trail, etc. (I-C 2, I-C 7, I-C 10) (2j)</p>	
	<p>C 3.4 (Objective) Encourage and protect water oriented recreational activities that cannot readily be provided at inland water areas. (30220)</p>	
<p>2a. Provide opportunities for recreational fishing and support facilities on the Huntington Beach Pier.</p>	<p>C 3.4.1 Provide opportunities for recreational fishing and support facilities on the Huntington Beach Municipal Pier. (I-C 1, I-C 2) (2a)</p>	

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Recreation & Visitor Serving Facilities	Suggested Modifications
	C 3.4.2 Enhance the Municipal Pier and surrounding area to function as the “hubs” of tourist and community activity. (I-C 1, I-C 2, I-C 3, I-C 4)	
2b. Require that any plans for restoration or replacement of the Municipal Pier include the following provisions: <ul style="list-style-type: none"> • Areas for recreational fishing and support facilities • Unobstructed public views seaward from the end of the Pier • Significant opportunities for unobstructed public views of the ocean and shoreline • Pedestrian access as the primary mode of circulation on the Pier • A minimum of 50 percent of the total area of the Pier as public open space 	C 3.4.3 Require that any plans for restoration or replacement of the Municipal Pier include the following provisions: (I-C 2, I-C 3, I-C 4) (2b) <ul style="list-style-type: none"> a. Areas for recreational fishing and support facilities. b. Unobstructed public views seaward from the end of the Pier. c. Significant opportunities for unobstructed public views of the shoreline. d. Limit Pier access to pedestrians and trolley type transit. e. Maintain a minimum of 70 percent of the total area of the Pier as public open space and ensure that adequate pedestrian flow is maintained along the Pier length. f. Provide adequate handicap access. g. Limit building heights on the pier to a maximum of 2 stories (35 feet). h. Require that public access be maintained around the entire perimeter of the pier. 	
2h.	C 3.4.4 Encourage the provision of public boating	

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Recreation & Visitor Serving Facilities	Suggested Modifications
Encourage the provision of public boating support facilities compatible with surrounding land uses and water quality.	support facilities compatible with surrounding land uses and water quality. (I-C 2, I-C 3, I-C 4) (2h)	
2i. Encourage additional dry storage areas for boats in industrial areas zoned M1.	C 3.4.5 Encourage additional dry storage areas for boats in industrial areas. (2i)	
		<u>C 3.4.X1</u> <u>Increased recreational boating use of coastal waters shall be encouraged by increasing public launching facilities, providing additional berthing spaces, and limiting non-water dependent land uses adjacent to the coast. (30224)</u>
3. Ensure local interests and concerns are included in State and regional recreation planning.	C 3.5 (Objective) Ensure that local interests and concerns are included in State and regional recreation planning within the Coastal Zone. Consider long term fiscal and liability impacts of new or expanded recreational facilities within the Coastal Zone and minimize impacts where feasible. (New)	
3a. Require review and approval by the City of final development plans prior to permitting any additional development on the State beaches.	C 3.5.1 Require review and approval by the City of final development plans prior to permitting any additional development on the State beaches. (I-C 2, I-C 12) (3a)	
3b. Prior to permitting any additional development on Huntington State Beach require:	C 3.5.2 Prior to permitting any additional development on the state beaches in Huntington Beach, consider the following: (I-	C 3.5.2 Prior to permitting any additional development on the state beaches in Huntington Beach, consider the following:

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Recreation & Visitor Serving Facilities	Suggested Modifications
<ul style="list-style-type: none"> a. Review and approval by the City of final landscape and architectural plans. b. Location of new facilities and landscaping in a manner that minimizes public view blockage and that enhances visually degraded areas. c. Location of new facilities in a manner that maximizes the area of beach sand available for recreational use. d. Location of comfort stations within or adjacent to parking facilities. e. Provision of drop-off and turn-around facilities for public transit. f. Provision of bus parking areas. g. Removal of the existing chain link fence; City review and approval of the location, design and materials of any fencing necessary for safety purposes. h. Access provisions for early beach users. 	<p>C 2, I-C 12) (3b)</p> <ul style="list-style-type: none"> a. Review and approval by the City of final landscape and architectural plans. b. Location of new facilities and landscaping in a manner that minimizes public view blockage and enhances visually degraded areas. c. Location of new facilities in a manner that maximizes the area of beach sand available for recreational use. d. Location of comfort stations within or adjacent to parking facilities. e. Provision of drop-off and turn-around facilities for public transit. f. Provision of bus parking areas. g. Removal of the existing chain link fence; City review and approval of the location, design and materials of any fencing necessary for safety purposes. h. Access provisions for early beach users. 	<p>(I-C 2, I-C 12) (3b)</p> <ul style="list-style-type: none"> a. Review and approval by the City of final landscape and architectural plans. b. Location of new facilities and landscaping in a manner that minimizes public view blockage and enhances visually degraded areas. c. Location of new facilities in a manner that maximizes the area of beach sand available for recreational use. d. Location of comfort stations within or adjacent to parking facilities. e. Provision of drop-off and turn-around facilities for public transit. f. Provision of bus <u>and bicycle</u> parking areas. g. Removal of the existing chain link fence; City review and approval of the location, design and materials of any fencing necessary for safety purposes. h. Access provisions for early beach users. <u>i. Provisions for transit service and non-automobile access</u>

I. VISUAL RESOURCES

1985 Coastal Element	Proposed Coastal Element Visual Resources	Suggested Modifications
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Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Visual Resources	Suggested Modifications
6. Preserve and enhance visual resources within the coastal zone	C 4 (Goal) Preserve and, where feasible, enhance and restore the aesthetic resources of the City's coastal zone, including natural areas, beaches, harbors, bluffs and significant public views.	
	C 4.1 (Objective) Provide opportunities within the Coastal Zone for open space as a visual and aesthetic resource.	
		<u>C 4.1.X1</u> <u>The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect public views to and along the ocean and scenic coastal areas.</u> (30251)
	C 4.1.1 Designate lands for the provision of passive and visual open space on the Coastal Land Use Map, which provide a balance to the urban and suburban development of the Coastal Zone. (I-C 1, I-C 2)	
	C 4.1.2 Develop City approved plans that provide natural open space linkages between Central Park, the freshwater riparian habitat to the southwest, and the freshwater marsh areas within the Bolsa Chica. These linkages may include the use of open space dedications, development of park/natural	

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Visual Resources	Suggested Modifications
	reserves, trails or greenbelts. (I-C 1, I-C 2)	
	C 4.1.3 Preserve skyward, night time views through minimization of lighting levels along the shoreline. (I-C 1, I-C 2) (New)	
	C 4.2 Promote the protection of the Coastal Zone's visual and aesthetic resources through design review and development requirements. (New)	
6a. Ensure new development within the coastal zone includes the features listed below and establish review procedures for implementation. <ul style="list-style-type: none"> • Preservation of public views to and from bluffs, to the shoreline and ocean, and to wetlands. • Conservation of energy and facilitation of public transit through design and siting. • Adequate landscaping and vegetation. • Evaluation of project design regarding visual impact. 	C 4.2.1 Ensure that the following minimum standards are met by new development in the Coastal Zone as feasible and appropriate: (30251) (I-C 2, I-C 4) (6a) <ul style="list-style-type: none"> a. Preservation of public views to and from the bluffs, to the shoreline and ocean and to the wetlands. b. Adequate landscaping and vegetation. c. Evaluation of project design regarding visual impact and compatibility. d. Incorporate landscaping to mask oil operations and major utilities, such as the electrical power plant on Pacific Coast Highway. 	
	C 4.2.2 Require that new development be designed to consider coastal views in its massing, height, and site orientation.	C 4.2.2 Require that new <u>the massing, height, and orientation of new</u> development be designed to consider <u>protect public</u>

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Visual Resources	Suggested Modifications
		coastal views in its massing, height, and site orientation.
	C 4.2.3 Promote the preservation of significant public view corridors to the coastal corridor, including views of the sea and the wetlands through strict application of local ordinances, design guidelines and related planning efforts, including defined view corridors.	
	C 4.3 (Objective) Promote designated coastal roadways as scenic corridors. (New)	
6i. Pursue the establishment of Pacific Coast Highway as a State Scenic Highway. 6j. Adopt a zoning ordinance which contains regulations adequate to achieve State Scenic Highway status for Pacific Coast Highway.	C 4.3.1 Adopt an ordinance that contains regulations adequate to achieve State Scenic Highway status for Pacific Coast Highway and pursue the establishment of Pacific Coast Highway as a State Scenic Highway. <i>(I-C 14, I-C 22a)</i> (6i and 6j)	
	C 4.4 Promote the preservation of significant landforms and physical features within the Coastal Zone. (30251) (New)	
6b. Prohibit any alteration of the natural landform of the bluffs seaward of Pacific Coast Highway including grading and the	C 4.4.1 Promote the preservation of the natural landform of the bluffs seaward of Pacific Coast Highway. Alterations necessary for	C 4.4.1 Promote the preservation of the natural landform of the bluffs seaward of Pacific Coast Highway. Alterations necessary for

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Visual Resources	Suggested Modifications
development of parking lots; alterations necessary for development of public trails and stabilization of bluffs may be permitted subject to City approval.	development of public access trails, parking facilities and/or bluff stabilization may be permitted subject to City approval. (I-C 1, I-C 2, I-C 4) (6b)	development of public access trails, parking facilities and/or bluff stabilization may be permitted <u>if they are the least environmentally damaging feasible alternatives and the landform is preserved to the maximum extent.</u> subject to City approval. (I-C 1, I-C 2, I-C 4) (6b)
6c. Prohibit development along the bluffs rising up to the Bolsa Chica mesa (within the City's jurisdiction) which will alter the natural landform or threaten the stability of the bluffs.	C 4.4.2 Prohibit private development along the bluffs rising up to the Bolsa Chica mesa (the bluff face that rises above the northwestern edge of the Bolsa Chica low land) within the City's jurisdiction that would alter the natural landform or threaten the stability of the bluffs, with the exception of drainage or other such facilities necessary to ensure public health or safety. (I-C 1, I-C 2, I-C 4, I-C 8) (6c)	C 4.4.2 Prohibit private development along the bluffs rising up to the Bolsa Chica mesa (the bluff face that rises above the northwestern edge of the Bolsa Chica low land) within the City's jurisdiction that would alter the natural landform or threaten the stability of the bluffs, with the exception of drainage or other such facilities necessary to ensure public health or safety. <u>Drainage systems and other such facilities necessary to ensure public health or safety may be allowed provided that bluff alteration is restricted to the minimum necessary and is done in the least environmentally damaging feasible manner.</u> (I-C 1, I-C 2, I-C 4, I-C 8) (6c)
4l. Prohibit development of the bluff faces at the western edge of the Holly Seacliff area which would alter the natural landform or threaten stability of the bluffs.	C 4.4.3 Prohibit development of the bluff faces at the eastern edge of the Bolsa Chica area that would alter the natural landform or threaten stability of the bluffs, with the	C 4.4.3 Prohibit development of the bluff faces at the eastern edge of the Bolsa Chica area that would alter the natural landform or threaten stability of the bluffs, with the

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Visual Resources	Suggested Modifications
	exception of drainage or other such facilities necessary to ensure public health or safety. (I-C 1, I-C 2, I-C 4, I-C 8) (4I)	exception of drainage or other such facilities necessary to ensure public health or safety. <u>Drainage systems and other such facilities necessary to ensure public health or safety may be allowed provided that bluff alteration is restricted to the minimum necessary and is done in the least environmentally damaging feasible manner.</u> (I-C 1, I-C 2, I-C 4, I-C 8) (4I)
	C 4.4.4 Develop implementation programs that will preserve and maintain the physical features of the wetlands, bluffs, and beaches. (I-C 2, I-C 4)	
	C 4.5 (Objective) Minimize the negative aesthetic impacts of signage in the Coastal Zone.	
6e. Prohibit new billboards within the coastal zone. 7c. Require the removal of all existing billboards along Pacific Coast Highway within five years of certification of the LCP.	C 4.5.1 Prohibit new billboards within the Coastal Zone (6e) and require the removal of all existing billboards along Pacific Coast Highway as properties are developed, or improved. (I-C 2, I-C 4) (7c)	
6f. Establish special regulations for the coastal	C 4.5.2 Establish special regulations for on-premise	

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Visual Resources	Suggested Modifications
<p>zone for on-premise signs which may include but will not be limited to:</p> <ul style="list-style-type: none"> • Prohibition of signs which do not display information related to an activity, service or commodity available on the premises. • Limits to the height, size, design and materials of signs. • Prohibition of roof-top signs • Restrictions on the use of lights and moving parts in signs. • Enforcement of maintenance controls. 	<p>signs within the Coastal Zone that may include but will not be limited to: (I-C 21g) (6f)</p> <ul style="list-style-type: none"> a. Prohibition of signs that do not display information related to an activity, service or commodity available on the premises, excluding direction signage and signage on bus shelters, bus benches or beach areas. b. Limits to the height, size, design and materials of signs. c. Prohibition of rooftop signs. d. Restrictions on the use of lights and moving parts in signs. e. Enforcement of maintenance controls. 	
<p>6h. Pursue funding to:</p> <ul style="list-style-type: none"> • Identify entry points to the coast and develop scenic entry markers to strengthen the visual relationship of the City to its beaches; and • Establish a coordinated theme and implement design standards for public signing in the coastal zone. 	<p>C 4.5.3 Coordinate the design of public and private signs and graphics in the coastal zone. (I-C 22g)</p> <ul style="list-style-type: none"> a. Prepare and implement a coordinated public/private sign program that fosters a cohesive image and includes the following: <ul style="list-style-type: none"> 1.) Sign standards that identify public places, recreational opportunities and tourist destinations; 2.) Design standards for public monument signage and public 	

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Visual Resources	Suggested Modifications
	<p>banners for street light standards along the major arterials;</p> <p>3.) Identification sign designs for each of the residential districts;</p> <p>4.) Design standards for primary and secondary entry node signage; and</p> <p>5.) Improved street signage that incorporates such elements as city logos or local design elements.</p> <p>b. Develop a major arterials public signage installation program.</p> <p>c. Consider developing guidelines for private monument signage that incorporates a consistent public identification device such as a City logo or a logo for the business' location, i.e., Beach Boulevard.</p>	
	<p>C 4.5.4 Pursue funding to implement LCP Policy 4.5.3. (I-C 17)</p>	
		<p><u>C 4.5.X1</u> <u>Wireless communication facilities shall be sited, to the maximum extent feasible, to minimize visual resource impacts. Minimization may be accomplished through one or more of the following techniques: co-locating antennas on one structure, locating facilities within existing building</u></p>

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Visual Resources	Suggested Modifications
		<u>envelopes, or minimizing visual prominence through colorization or landscaping and removal of facilities that become obsolete.</u>
		<u>C 4.5.X2</u> <u>New wireless communication facilities affecting the public view shed and/or located in areas designated Water Recreation, Conservation, Parks, and Shoreline shall be conditioned to require removal within six (6) months of termination of use and restoration of the site to its natural state.</u>
	C 4.6 Enhance the visual appearance of the Coastal Zone through the development and implementation of landscaping standards. (New)	
		<u>C 4.6.X1</u> <u>Landscaping adjacent to environmentally sensitive habitat areas, such as wetlands, and coastal dunes shall consist of non-invasive, native drought tolerant plants. No permanent irrigation systems shall be allowed adjacent to environmentally sensitive habitat areas.</u>
		<u>C 4.6.X2</u> <u>Landscaping on coastal bluffs, including the bluff face, and coastal</u>

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Visual Resources	Suggested Modifications
		<u>parks shall consist of non-invasive, native drought tolerant plants. No permanent irrigation systems shall be allowed on coastal bluffs.</u>
6g. To the maximum extent feasible, require the preservation of existing mature trees within the coastal zone.	C 4.6.1 For new re-development, require the preservation of existing mature trees (as defined by the City's Landscape Ordinance). If preservation of existing mature trees is not feasible, require that removed trees be replaced at a minimum 2:1 ratio either on site, or elsewhere within the Coastal Zone, as prescribed by the City. (I-C 3, I-C 8) (New)	
6k. Establish landscaping ordinances/guidelines specifying vegetation types for the coastal area.	C 4.6.2 Establish landscaping ordinances/guidelines specifying vegetation types for the coastal area. Such ordinances and guidelines are subject to coastal commission approval.	
	C 4.6.3 Require additional landscaping and varying hardscape along the beach trail and roadway medians in the Coastal Zone. (I-C 2, I-C 3, I-C 4)	
7g. Where feasible, require landscaped medians along Pacific Coast Highway prior to permitting any major improvements which would increase the capacity of the highway.	C 4.6.4 Where feasible, require landscaped medians along Pacific Coast Highway prior to permitting any major improvements that would increase vehicular capacity of the highway. (I-C 3) (7g)	

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Visual Resources	Suggested Modifications
7b. Promote a cooperative agreement between the City and the State to landscape parking areas along the State beaches.	C 4.6.5 Promote a cooperative agreement between the City and the State to landscape parking areas along the State beaches. (I-C 3, I-C 12) (7b)	
	C 4.6.6 Require landscaping to screen flood control channels where visible to public views and where there is adequate planting area available. (I-C 2, I-C 3)	
7. Improve the appearance of visually degraded areas.	C 4.7 Improve the appearance of visually degraded areas within the Coastal Zone.	
7a. Promote the screening of uses that detract from the scenic quality of the coast along public rights-of-way and within public view.	C 4.7.1 Promote the use of landscaping material to screen uses that detract from the scenic quality of the coast along public rights-of-way and within public view. (I-C 2, I-C 3) (7a)	
	C 4.7.2 Continue to locate new and relocated utilities underground when possible. All others shall be placed and screened to minimize public viewing. (I-C 2, I-C 7)	
7d. Consider the following priority within the coastal zone for undergrounding of overhead utility and telephone lines, in accordance with the rules and regulations of the California Public Utilities Commission.	C 4.7.3 Consider the following priority within the Coastal Zone for underground placement of overhead utility and telephone lines, in accordance with the rules and regulations of the California Public Utilities Commission: (I-C 2, I-C 7) (7d)	C 4.7.3 Consider the following priority within the Coastal Zone for underground placement of overhead utility and telephone lines, in accordance with the rules and regulations of the California Public Utilities Commission: (I-C 2, I-C 7) (7d)

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Visual Resources	Suggested Modifications
<ul style="list-style-type: none"> a. Pacific Coast Highway b. Beach Boulevard, Adams Street to Pacific Coast Highway. c. Brookhurst Street from Hamilton Avenue to Pacific Coast Highway. d. Magnolia Street from Hamilton Avenue to Pacific Coast Highway. e. Goldenwest Street from Huntington Central Park to Pacific Coast Highway. 	<ul style="list-style-type: none"> a. Pacific Coast Highway b. Beach Boulevard, Adams Street to Pacific Coast Highway. c. Brookhurst Street from Hamilton Avenue to Pacific Coast Highway. d. Magnolia Street from Hamilton Avenue to Pacific Coast Highway. e. Goldenwest Street from Huntington Central Park to Pacific Coast Highway. f. Warner Avenue within the Coastal Zone. (Public Works) g. Newland Street within the Coastal Zone. 	<ul style="list-style-type: none"> a. Pacific Coast Highway b. Beach Boulevard, Adams Street to Pacific Coast Highway. c. Brookhurst Street from Hamilton Avenue to Pacific Coast Highway. d. Magnolia Street from Hamilton Avenue to Pacific Coast Highway. e. Goldenwest Street from Huntington Central Park to Pacific Coast Highway. f. Warner Avenue within the Coastal Zone. (Public Works) g. Newland Street within the Coastal Zone. <p><u>Any project to place utility and telephone wires underground must be consistent with all other provisions of this local coastal program.</u></p>
<p>7e. Investigate the feasibility of rerouting or undergrounding transmission lines which currently traverse wetlands.</p>	<p>C 4.7.4 Investigate the feasibility of rerouting or undergrounding transmission lines which currently traverse wetlands. (I-C 2, I-C 7) (7e)</p>	
	<p>C 4.7.5 Require the review of new and/or expansions of existing industrial and utility facilities to ensure that such facilities will not visually impair the City's coastal corridors and entry nodes. (I-C 2, I-C 7)</p>	

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Visual Resources	Suggested Modifications
<p>7f. Develop a report to the City Council on the litter problem in the coastal zone particularly the Beach Boulevard to Santa Ana River mouth area. This report should include:</p> <ul style="list-style-type: none"> • Identification of the causes and extent of the litter problem in the coastal zone. • Establishment of responsibility for litter control. • Proposed actions to improve litter cleanup. • Identification of sources of federal and State funding for litter control. 	<p>C 4.7.6 Ensure beaches and associated facilities are clean and litter free. (I-C 6)</p>	
	<p>C 4.7.7 Oppose offshore drilling off Huntington Beach where visual and environmental quality may be impacted. (I-C 8, I-C 12, I-C 15, I-C 22q)</p>	<p>C 4.7.7 Oppose offshore drilling off Huntington Beach where visual and environmental quality may be impacted <u>and where 1) feasible alternative locations are available that would be less environmentally damaging; 2) to do otherwise would adversely affect the public welfare; and 3) adverse environmental effects have not been mitigated to the maximum extent feasible.</u> (I-C 8, I-C 12, I-C 15, I-C 22q)</p>
	<p>C 4.7.8 Require landscape and architectural buffers and screens around oil production facilities and other utilities visible from public rights-</p>	

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Visual Resources	Suggested Modifications
	of-way. (I-C 2, I-C 3)	
	C 4.7.9 Require the removal of non-productive oil production facilities and the restoration of the vacated site. (I-C 2, I-C 3)	
	C 4.7.10 Encourage the remediation and clean up of the NESI (Ascon) site. Work with other responsible agencies and property owner to facilitate site clean-up. (I-C 1, I-C 2, I-C 12) (New)	

Land Use Plan Suggested Modifications

J. HISTORIC AND CULTURAL RESOURCES

1985 Coastal Element	Proposed Coastal Element Historic & Cultural Resources	Suggested Modifications
	C 5 (Goal) Promote the preservation of significant archaeological and paleontological resources in the Coastal Zone. (New, 30244)	
	C 5.1 (Objective) Identify and protect, to the maximum extent feasible, significant archaeological, paleontological and historic resources in the Coastal Zone. (New)	
	C 5.1.1 Coordinate with the state of California Historic Preservation Office to ensure that archaeological, paleontology and historically significant resources within the coastal zone are identified. <i>(I-C 12, I-C 22)</i> (New)	
	C 5.1.2 Where new development would adversely impact archeological or paleontological resources within the coastal zone, reasonable mitigation measures to minimize impacts shall be required. (30244) <i>(I-C 8)</i>	
		<u>C 5.1.X1</u> <u>In the event that any Native American human remains are uncovered; the County Coroner, the Native American Heritage Commission, and the Most</u>

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Historic & Cultural Resources	Suggested Modifications
		<u>Likely Descendants, as designated by the California Native American Heritage Commission, shall be notified. The recommendations of the Most Likely Descendants shall be obtained prior to the disposition of any prehistoric Native American human remains.</u>
		<p><u>C 5.1.X2</u> <u>A completed archeological research design shall be submitted along with any application for a coastal development permit for development within any area containing archeological or paleontological resources. The research design shall determine the significance of any artifacts uncovered and make recommendations for preservation. Significance will be based on the requirements of the California Register of Historical Resources criteria, and prepared based on the following criteria.</u></p> <ul style="list-style-type: none"> <u>a. contain a discussion of important research topics that can be addressed employing data from the Bolsa Chica sites; and</u> <u>b. be reviewed by at least three (3) County-certified archaeologists (peer review committee).</u> <u>c. The State Office of Historic Preservation and the Native</u>

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Historic & Cultural Resources	Suggested Modifications
		<p><u>American Heritage Commission shall review the research design.</u></p> <p>d. <u>The research design shall be developed in consultation with affected Native American groups.</u></p> <p>e. <u>The permittee shall comply with the peer review committee to assure compliance with the mitigation measures required by the archeological research design.</u></p>
		<p><u>C 5.1.X3</u></p> <p><u>A County-certified paleontologist/archeologist, shall monitor all grading operations where there is a potential to affect cultural or paleontological resources based on the required research design. A Native American monitor shall also monitor grading operations. If grading operations uncover paleontological/archeological resources, the paleontologist/archeologist or Native American monitor shall suspend all development activity to avoid destruction of resources until a determination can be made as to the significance of the paleontological/archeological resources. If found to be significant, the site(s) shall be tested and preserved</u></p>

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Historic & Cultural Resources	Suggested Modifications
		<u>until a recovery plan is completed to assure the protection of the paleontological/archeological resources.</u>
	<p>C 5.1.3 Reinforce downtown as the City's historic center and as a pedestrian-oriented commercial and entertainment/recreation district, as follows: (I-C 1, I-C 2, I-C 4)</p> <ol style="list-style-type: none"> 1. Preserve older and historic structures; 2. Require that new development be designed to reflect the Downtown's historical structures and adopted Mediterranean theme; 3. Amend the Downtown Specific Plan to: <ol style="list-style-type: none"> a. Coordinate with the Citywide Design Guidelines; and b. Incorporate historic preservation standards and guidelines. c. Coordinate Downtown development and revitalization with policies and programs of the Historic and Cultural Resources Element. 	<p>C 5.1.3 Reinforce downtown as the City's historic center and as a pedestrian-oriented commercial and entertainment/recreation district, as follows: (I-C 1, I-C 2, I-C 4)</p> <ol style="list-style-type: none"> 1. Preserve older and historic structures; 2. Require that new development be designed to reflect the Downtown's historical structures and adopted Mediterranean theme; 3. Amend the Downtown Specific Plan <u>(as an LCP amendment subject to Commission certification)</u> to: <ol style="list-style-type: none"> a. Coordinate with the Citywide Design Guidelines; and b. Incorporate historic preservation standards and guidelines. c. Coordinate Downtown development and revitalization with policies and programs of the Historic and Cultural Resources Element.

Land Use Plan Suggested Modifications

K. WATER AND MARINE RESOURCES

1985 Coastal Element	Proposed Coastal Element Water and Marine Resources	Suggested Modifications
	C 6 (Goal) Prevent the degradation of marine resources in the Coastal Zone from activities associated with an urban environment. (New)	
8. Promote measures to mitigate the adverse impacts of human activities on organisms and the marine environment.	C 6.1 (Objective) Promote measures to mitigate the adverse impacts of human activities on marine organisms and the marine environment through regulation of new development, monitoring of existing development, and retrofitting necessary and feasible. (New)	
8a. Require that development plans include mitigation measures to prevent the degradation of water quality of groundwater basins, wetlands, or surface water.	C 6.1.1 Require that new development include mitigation measures to prevent the degradation of water quality of groundwater basins, wetlands, and surface water. (I-C 2, I-C 8) (8a)	C 6.1.1 Require that new development include mitigation measures to <u>enhance water quality, if feasible; and, at a minimum,</u> prevent the degradation of water quality of groundwater basins, wetlands, and surface water. (I-C 2, I-C 8) (8a)
		C 6.1.X1 <u>Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. (30230)</u>
		C 6.1.X2 <u>Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy</u>

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		<u>populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes. (30230)</u>
		<u>C 6.1.X3</u> <u>The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored. (30231)</u>
8b. Require containment curtains around waterfront construction projects on inland waterways to control drift of turbid waters.	C 6.1.2 Require containment curtains around waterfront construction projects on inland waterways to avoid turbid waters from drifting into the ocean. (I-C 2, I-C 3, I-C 8) (8b)	
8k. Require that new development employ catch basins and storm drains with baffled compartments where uncontrolled drainage could damage sensitive areas.	C 6.1.3 Continue implementation of the Municipal Non-Point Source National Pollutant Discharge Elimination System (NPDES) standards program of which the City is a co-permittee with the County of Orange through the Santa Ana Regional Water Quality Control Board. Per program parameters, continue to require a Water Quality Management Plan for all applicable new development within the Coastal Zone, and include mitigation measures such as	C 6.1.3 <u>It is the policy of the City to recognize the value of watershed based planning efforts in achieving coastal and marine water quality and resource protection goals of the LUP. Therefore, the City shall support such efforts by initiating and participating in watershed wide planning and management groups, with the involvement of appropriate stakeholders and/or regulatory agencies. Such efforts should include</u>

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	<p>the following: (I-C 2, I-C 3, I-C 8)</p> <ul style="list-style-type: none"> a. Use of the best available runoff control management techniques in new development including the National Pollutant Discharge Elimination System (NPDES) Standards; b. Adoption of guidelines to reduce runoff (silt, debris and litter) from construction sites. These implementation guidelines will be developed with the guidance and approval of the Santa Ana Regional Water Quality Control Board and the State Water Resources Control Board; c. Establishment of runoff controls for soils removed in restoration and/or remediation of oil sites; and d. Encourage and assist, where appropriate, County efforts to modify flood control channels that empty into the Bolsa Chica, Huntington Beach Wetlands and beach areas in order to minimize negative impacts from urban runoff while maintaining flood control effectiveness. (New) 	<p><u>participation in updating Orange County's Drainage Area Management Plan, forming partnerships to combine resources to implement restoration projects which involve and benefit multiple stakeholders, and pursuing funding opportunities to accomplish water quality improvement projects.</u></p> <p><u>A public participation component that identifies methods to encourage public participation in managing development and minimizing urban runoff impacts to the coast shall be developed. This component should outline a public education and involvement program designed to raise public awareness about stormwater issues and the potential impacts of water pollution, and involve the public in the development and implementation of the City's pollution control goals.</u></p> <p><u>The City shall require that new development and redevelopment, as appropriate, employ nonstructural Best Management Practices (BMPs) and structural BMPs designed to minimize the volume, velocity and pollutant load of stormwater runoff, prior to runoff discharge into stormwater conveyance systems, receiving waters and/or other</u></p>

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		<p><u>sensitive areas. BMPs should be selected based on efficacy at mitigating pollutants of concern associated with respective development types or uses.</u></p> <p><u>To this end, the City shall</u> continue implementation of the Municipal Non-Point Source National Pollutant Discharge Elimination System (NPDES) standards program of which the City is a co-permittee with the County of Orange through the Santa Ana Regional Water Quality Control Board. Per program parameters, continue to require a Water Quality Management Plan for all applicable new development <u>and redevelopment</u> within the Coastal Zone, and include mitigation measures such as the following: (I-C 2, I-C 3, I-C 8)</p> <p>a. Use of the best available runoff control management techniques in new development including the National Pollutant Discharge Elimination System (NPDES) Standards;</p> <p>b. Adoption of guidelines to reduce runoff (silt, debris and litter) from construction sites. These implementation guidelines will be developed with the guidance and approval of the Santa Ana Regional Water Quality Control Board and the State Water Resources Control Board;</p>

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1985 Coastal Element	Proposed Coastal Element Water and Marine Resources	Suggested Modifications
		<p>a. <u>Regulating development to include the use of the best available erosion and runoff control management techniques and BMPs designed to minimize, to the maximum extent practicable, pollutant loads contained in post-development runoff, and to maintain post-development peak runoff rate and average volume at levels similar to pre-development levels. Design elements and other measures shall be incorporated into new development and appropriate re-development in order to carry out the objectives specified herein, including implementation of measures required pursuant to the National Pollutant Discharge Elimination System (NPDES) Standards, and any amendment to or re-issuance thereof;</u></p> <p>b. <u>Adoption of guidelines to reduce runoff (silt, debris, litter, and chemicals) from construction sites. These implementation guidelines will be developed with the guidance and approval of the Santa Ana Regional Water Quality Control Board and/or the State Water Resources Control Board. The guidelines shall be based on the following three principles: (1) Minimizing the potential sources of</u></p>

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		<p><u>sediment and/or other pollutants from the outset; (2) Controlling the amount of runoff and its ability to carry sediment and/or other pollutants; and (3) Retaining sediment and/or other pollutants picked up on the project site for appropriate treatment and disposal. Until such guidelines are developed and approved, erosion and sediment control plans which shall accompany applications for new development and re-development, shall be reviewed for conformance with applicable recommendations contained in California's Storm Water Best Management Practice Handbook (Construction Activity) [Stormwater Quality Taskforce, 1993] and any amendment to or re-issuance thereof;</u></p> <p>c. Establishment of runoff controls for soils removed in restoration and/or remediation of oil sites; and</p> <p>d. Encourage and assist, where appropriate, County efforts to implement restoration or other water quality improvement projects in flood control channels that empty into the Bolsa Chica, Huntington Beach Wetlands and beach areas in order to minimize</p>

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		negative impacts from urban runoff while maintaining flood control effectiveness. (New)
	C 6.1.4 Improve existing infrastructure to prevent sewage system failures that may result in the discharge of untreated sewage into the ocean waters. <i>(I-C 10)</i> (New)	C 6.1.4 Improve <i>and maintain</i> existing infrastructure to prevent sewage system failures that may result in the discharge of untreated sewage into <i>the coastal and</i> ocean waters. <i>Regular inspection of sewer lines, laterals and pump stations and preventative maintenance activities shall be undertaken to minimize the potential for ruptured lines or faulty infrastructure to cause or contribute to a sewage spill. The City shall identify and implement additional management measures to prevent sewage spills, and other causes of bacterial pollution in coastal waters in response to scientific findings and recommendations resulting from monitoring and other investigations.</i> <i>(I-C 10)</i> (New)
8h. Assess the adequacy of the existing water quality monitoring and, if found inadequate, establish a more effective program.	C 6.1.5 Periodically assess the adequacy of the County's water quality monitoring procedures for the City's wetlands, harbors and beaches and coordinate with responsible agencies to ensure adequate monitoring. <i>(I-C 11, I-C 12)</i> (New)	

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8i. If it is determined that water quality in Huntington Harbour is below acceptable quality, establish improvement measures such as requiring boat pumpout or holding tank facilities in existing development.	C 6.1.6 Coordinate with responsible agencies to establish improvement measures for Huntington Harbour water quality such as requiring boat pumpout or holding tank facilities in existing development. (I-C 12) (8i)	C 6.1.6 Coordinate with responsible agencies <u>and/or interested parties and individuals</u> to <u>investigate cause(s) of any Huntington Harbour water quality impairments and</u> establish improvement measures for Huntington Harbour water quality such as requiring boat pumpout or holding tank facilities in existing <u>and new</u> development. <u>Identify mechanisms and a schedule for implementing such measures and facilities.</u> (I-C 12) (8i)
8j. If monitoring data indicate low dissolved oxygen conditions in Huntington Harbour channels, develop mitigation measures such as a system of aeration devices.	C 6.1.7 Monitor and coordinate with responsible agencies to ensure that dissolved oxygen levels in Huntington Harbour do not fall below minimum standards. Promote aeration and water circulation devices, regulate the dredging schedule or implement other appropriate mitigation measures if needed. (New)	C 6.1.7 Monitor and coordinate with responsible agencies to ensure that dissolved oxygen levels in Huntington Harbour do not fall below minimum standards. Promote <u>Encourage, and require when appropriate, the installation of</u> aeration and water circulation devices, regulate the dredging schedule or <u>and</u> implement other appropriate mitigation measures if <u>when and where</u> needed. (New)
	C 6.1.8 Eliminate the use of anti-fouling chemical treatments on boats moored in the harbor, except at permitted locations. (I-C 2, I-C 3, I-C 12)	C 6.1.8 <u>The City, in consultation with appropriate agencies, and interested stakeholders shall identify regulatory and non-regulatory mechanisms for implementing management measures for marinas and recreational boating activities contained in California's Plan for the Control of Nonpoint Source</u>

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		<p><u>Pollution (CCC & SWRCB 2000) in Huntington Harbour. Additionally, the City shall identify and support mechanisms for implementing an educational program targeted at boat operational and maintenance activities such as the Boating Clean & Green Campaign or equivalent in the Harbour.</u></p> <p>Eliminate the use of anti-fouling chemical treatments on boats moored in the harbor, except at permitted locations. (I-C 2, I-C 3, I-C 12)</p>
<p>8c. Investigate the feasibility of requiring additional water conservation measures for new development to reduce waste water flow.</p>	<p>C 6.1.9 Periodically review the City's policies on water conservation, including the Water Conservation Ordinance, to ensure the use of state of the art conservation measures. (I-C 11) (New)</p>	<p>C 6.1.9 Periodically review the City's policies on water conservation, including the Water Conservation Ordinance, to ensure the use of state of the art conservation measures <u>for new development and redevelopment, and retrofitting of existing development, where feasible and appropriate, to implement these measures.</u> (I-C 11) (New)</p>
	<p>C 6.1.10 Encourage research and feasibility studies regarding ocean water desalinization as an alternative source of potable water. Participate in regional studies and efforts where appropriate. (I-C 22n) (New)</p>	
	<p>C 6.1.11 Encourage water reclamation projects and</p>	<p>C 6.1.11 Encourage water reclamation projects.</p>

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	the use of reclaimed water for purposes such as irrigation, where feasible and appropriate. (I-C 2, I-C 3) (30231)	<u>including household wastewater reclamation,</u> and the use of reclaimed water for purposes such as irrigation, where feasible and appropriate. (I-C 2, I-C 3) (30231)
8d. Prior to approval of any new or expanded outfalls, encourage the provision of mitigation measures to minimize damage to marine organisms in accordance with State and federal law.	C 6.1.12 Prior to the approval of any new or expanded outfalls, require the provision of mitigation measures to minimize damage to marine organisms in accordance with State and federal law. (I-C 2, I-C 3, I-C 7, I-C 8) (8d)	C 6.1.12 Prior to the approval of any new or expanded outfalls, require the provision of mitigation measures to minimize damage to marine organisms in accordance with State and federal law. <u>Where new storm drain outlets are necessary, discharge points shall be sited and designed to release in the least environmentally sensitive location and manner.</u> a. <u>Storm drains are prohibited from discharging directly into ESHA, or wetlands unless there is no other feasible alternative in which case storm drain discharge shall be accomplished in a manner that is the least environmentally damaging feasible alternative.</u> b. <u>The volume and quality of stormwater discharged into coastal waters, ESHA, or wetlands shall maintain or enhance the functional capacity of the receiving waters or</u>

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		<p><u>ESHA.</u></p> <p>c. <u>Energy dissipater devices shall be installed on all approved storm drain outlets to prevent erosion and scour. (I-C 2, I-C 3, I-C 7, I-C 8) (8d)</u></p>
		<p><u>C 6.1.X4</u></p> <p><u>Dry weather nuisance flows, as defined by the receiving agency, shall be diverted to flow into the local wastewater treatment facility, or other suitable treatment/reclamation facility for treatment prior to discharge.</u></p>
		<p><u>C 6.1.X5</u></p> <p><u>Natural drainage patterns in areas designated as Conservation or Open Space and Recreation shall be maintained and restored where feasible.</u></p>
		<p><u>C 6.1.X6</u></p> <p><u>New flood control projects and substantial reconstruction of existing flood control facilities shall, to the extent feasible:</u></p> <p>a. <u>Expand the floodplain.</u></p> <p>b. <u>Maximize soft bottom habitat.</u></p> <p>c. <u>Slow water to encourage percolation through the use of off-line detention basins or other similar structures.</u></p> <p>d. <u>Consider the diversion of dry weather nuisance flows to the sewer</u></p>

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		<p><u>system.</u></p> <p>e. <u>Prevent and remove encroachments into the floodplain</u></p> <p>f. <u>Restore pool and riffle sequence to slow and aerate the water</u></p>
<p>8e.</p> <p>Prior to approval of any new or expanded seawater pumping facilities, encourage the provision of maximum feasible mitigation measures to minimize damage to marine organisms due to entrainment in accordance with State and federal law.</p>	<p>C 6.1.13</p> <p>Prior to approval of any new or expanded seawater pumping facilities, require the provision of maximum feasible mitigation measures to minimize damage to marine organisms due to entrainment in accordance with State and Federal law. (<i>I-C 2, I-C 7, I-C 8</i>) (8e)</p>	
<p>8f.</p> <p>Limit diking, dredging, and filling of coastal waters, wetlands, and estuaries to the specific activities outlined in Section 30233 and 30607.1 of the Coastal Act and to those activities required for the restoration, maintenance, and/or repair of the Municipal Pier; conduct any diking, dredging and filling activities in a manner that is consistent with Section 30233 and 30607.1 of the Coastal Act.</p>	<p>C 6.1.14</p> <p>With the exception of Policy 7.1.4, as previously approved by the Coastal Commission, limit diking, dredging, and filling of coastal waters, wetlands, and estuaries to the specific activities outlined in Section 30233 and 30607.1 of the Coastal Act and to those activities required for the restoration, maintenance, and/or repair of the Municipal Pier and marina docks. Conduct any diking, dredging and filling activities in a manner that is consistent with Section 30233 and 30607.1 of the Coastal Act. (<i>I-C 2, I-C 7, I-C 8</i>) (8f)</p>	<p>C 6.1.14</p> <p>With the exception of Policy 7.1.4, as previously approved by the Coastal Commission, Limit diking, dredging, and filling of coastal waters, wetlands, and estuaries to the specific activities outlined in Section 30233 and 30607.1 of the Coastal Act and to those activities required for the restoration, maintenance, and/or repair of the Municipal Pier and marina docks. Conduct any diking, dredging and filling activities in a manner that is consistent with Section 30233 and 30607.1 of the Coastal Act. (<i>I-C 2, I-C 7, I-C 8</i>) (8f) (30233)</p>
	<p>C 6.1.15</p> <p>Monitor harbor dredging to ensure consistency with Coastal Act Section 30233</p>	

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	and minimal impacts to water quality, plant, and biological resources. (I-C 2, I-C 7, I-C 8, I-C 12)	
	C 6.1.16 Monitor sand movement, coastal erosion and methods of mitigation. (I-C 12, I-C 15)	
1c. Prohibit groins, cliff retaining walls, pipelines, outfalls, and other such construction that may alter natural shoreline processes unless designed to eliminate or mitigate adverse impacts on local shoreline sand supply.	C 6.1.17 Prohibit groins, cliff retaining walls, pipelines, outfalls, and other such construction structures or activities that may alter natural shoreline processes unless designed to eliminate or mitigate adverse impacts on local shoreline sand supply, or are necessary to protect public health, safety and/or welfare. (I-C 2) (1c) (30235)	C 6.1.17 Prohibit groins, cliff retaining walls, pipelines, outfalls, and other such construction structures or activities that may alter natural shoreline processes unless designed to eliminate or mitigate adverse impacts on local shoreline sand supply, or are necessary to protect public health, safety and/or welfare. (I-C 2) (1c) (30235)
	C 6.1.18 Promote the improvement of tidal circulation in the Talbert Marsh, the Bolsa Chica, Huntington Harbour, and Anaheim Bay resulting in minimal impacts to sand migration, aesthetics, and usability of the beach area. (I-C 8, I-C 12)	
	C 6.1.19 Require that new development incorporate adequate mitigation to minimize the alteration of natural streams and/or interference with surface water flow. (I-C 8, I-C 15) (30231)	C 6.1.19 Require that new development <u>and redevelopment minimize the creation of impervious areas and, where feasible, reduce the extent of existing unnecessary impervious areas, and</u> incorporate adequate mitigation to minimize the alteration of natural streams and/or

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		interference with surface water flow. (I-C 8, I-C 15) (30231)
	C 6.1.20 Protect, maintain and enhance, where feasible, existing natural vegetation buffer areas surrounding riparian habitats. (I-C 2, I-C 8) (30231)	
	C 6.1.21 Limit flood control projects and alterations to water areas to those that enhance public safety or protect existing development and/or the city's water supply and require best mitigation measures feasible to minimize potential negative impacts. (i-c 7, i-c 8) (30236) (New)	C 6.1.21 Limit flood control projects and alterations to water areas to those that enhance public safety or protect existing development and/or the city's water supply and require best mitigation measures feasible to minimize potential negative impacts. <u>Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.</u> (i-c 7, i-c 8) (30236) (New)

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	C 6.1.22 Support the creation of a wildlife sanctuary for habitats along the coast in order to preserve and protect natural beach environments. (I-C 1, I-C 2, I-C 7, I-C 8)	
8g. Support the Orange County Water District's Barrier Wells project.	C 6.1.23 Continue to support the ongoing Orange County Water District's Barrier Wells project. (I-C 12) (8g)	

L. ENVIRONMENTALLY SENSITIVE HABITATS

1985 Coastal Element	Proposed Coastal Element Environmentally Sensitive Habitat	Suggested Modifications
9. Preserve and enhance environmentally sensitive habitats including the Bolsa Chica which is within the sphere of influence of the City of Huntington Beach.	C 7 (Goal) Preserve, enhance and restore, where feasible, environmentally sensitive habitat areas (ESHAs) in the City's Coastal Zone, including the Bolsa Chica which is within the City's Sphere of Influence. (9)	
	C 7.1 (Objective) Regulate new development through design review and permit issuance to ensure consistency with Coastal Act requirements and minimize adverse impacts to identified environmentally sensitive habitats and wetland areas. (New)	
	C 7.1.1 Evaluate any existing environmental degradation or potential degradation from current or planned storm drain and flood	C 7.1.1 Evaluate any existing environmental degradation or potential degradation from current or planned storm drain and flood

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1985 Coastal Element	Proposed Coastal Element Environmentally Sensitive Habitat	Suggested Modifications
	control facilities in wetlands or other sensitive environments. (I-C 7, I-C 8)	control facilities in wetlands or other sensitive environments. <u>Storm drains and flood control projects shall be designed to minimize adverse impacts to wetlands or other environmentally sensitive areas. Additionally, flood control projects shall be designed, to the maximum extent feasible, to avoid reducing the width of the floodplain, to remove any encroachments into the floodplain, and to restore the natural bottom and width of the floodplain.</u> (I-C 7, I-C 8)
		<u>C 7.1.X1</u> <u>Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.</u> <u>In the event that development is permitted in an ESHA area pursuant to other provisions of this LCP, a “no-net-loss” policy (at a minimum) shall be utilized.</u>
9a. Approve only that development adjacent to wetlands and environmentally sensitive habitat areas that does not significantly	C 7.1.2 Approve only that development adjacent to wetlands and environmentally sensitive habitat areas that does not significantly	C 7.1.2 Approve only that development adjacent to wetlands and environmentally sensitive habitat areas that does not significantly

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1985 Coastal Element	Proposed Coastal Element Environmentally Sensitive Habitat	Suggested Modifications
degrade habitat values and which is compatible with the continuance of the habitat.	degrade habitat values and which is compatible with the continuance of the habitat. (30240(b)) (9a)	degrade habitat values and which is compatible with the continuance of the habitat. <u>Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas. (30240(b)) (9a)</u>
<p>9b. Require new development contiguous to wetland or environmentally sensitive habitat areas to include buffers which will consist of a minimum of one hundred foot setback from the landward edge of the wetland where possible. If existing development or site configuration precludes a 100 foot buffer, the buffer shall be established according to the factors listed in Policy 9c and shall be reviewed by the Department of Fish and Game.</p> <p>In case of substantial development or significantly increased human impacts, a wider buffer may be required in accordance with an analysis of the factors in Policy 9c.</p> <p>9c. Develop specifications for buffers taking</p>	<p>C 7.1.3 Require that new development contiguous to wetlands or environmentally sensitive habitat areas include buffer zones. Buffer zones shall be a minimum of one hundred feet setback from the landward edge of the wetland, with the exception of the following: (I-C 2, I-C 7)</p> <p>A lesser buffer may be permitted if existing development or site configuration precludes a 100 foot buffer, or conversely, a greater buffer zone may be required if substantial development or significantly increased human impacts are anticipated. In either case, the following factors shall be considered when determining whether a lesser or wider buffer zone is warranted. Reduced buffer zone areas shall be reviewed by the Department of Fish and</p>	<p>C 7.1.3 Require that new development contiguous to wetlands or environmentally sensitive habitat areas include buffer zones. Buffer zones shall be a minimum of one hundred feet setback from the landward edge of the wetland, with the exception of the following: (I-C 2, I-C 7)</p> <p>A lesser buffer may be permitted if existing development or site configuration precludes a 100 foot buffer, or conversely, a greater buffer zone may be required if substantial development or significantly increased human impacts are anticipated. In either case, the following factors shall be considered when determining whether a lesser or wider buffer zone is warranted. Reduced buffer zone areas shall be reviewed by the Department of Fish and</p>

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1985 Coastal Element	Proposed Coastal Element Environmentally Sensitive Habitat	Suggested Modifications
<p>into consideration the following factors:</p> <ul style="list-style-type: none"> • Biological Significance of Adjacent Lands. The buffer should be sufficiently wide to protect the functional relationship between wetland and adjacent upland. • Sensitivity of Species to Disturbance. The buffer should be sufficiently wide to ensure that the most sensitive species will not be disturbed significantly by permitted development, based on habitat requirements of both resident and migratory species and the short- and long-term adaptability of various species to human disturbance. • Susceptibility of Parcel to Erosion. The buffer should be sufficiently wide to allow for interception of any additional material eroded as a result of the proposed development based on soil and vegetative characteristics, slope and runoff characteristics, and impervious surface coverage. • Use of Existing Cultural Features to Locate Buffer Zones. Where feasible, development should be located on the side of roads, dikes, irrigation canals, flood control channels, etc., away from the environmentally sensitive habitat area. 	<p>Game prior to implementation. (9b and 9c)</p> <ul style="list-style-type: none"> a. Biological significance of adjacent lands: The buffer should be sufficiently wide to protect the functional relationship between wetland and adjacent upland. b. Sensitivity of species to disturbance: The buffer should be sufficiently wide to ensure that the most sensitive species will not be disturbed significantly by permitted development, based on habitat requirements of both resident and migratory species and the short and long term adaptability of various species to human disturbance. c. Susceptibility of parcel to erosion: The buffer should be sufficiently wide to allow for interception of any additional material eroded as a result of the proposed development based on soil and vegetative characteristics, slope and runoff characteristics, and impervious surface coverage. d. Use of existing cultural features to locate buffer zones: Where feasible, development and buffer zones should be located on the side of roads, dikes, irrigation canals, flood control channels, etc., away from the environmentally sensitive habitat area. 	<p>Game prior to implementation. (9b and 9c)</p> <ul style="list-style-type: none"> a. Biological significance of adjacent lands: The buffer should be sufficiently wide to protect the functional relationship between wetland and adjacent upland. b. Sensitivity of species to disturbance: The buffer should be sufficiently wide to ensure that the most sensitive species will not be disturbed significantly by permitted development, based on habitat requirements of both resident and migratory species and the short and long term adaptability of various species to human disturbance. c. Susceptibility of parcel to erosion: The buffer should be sufficiently wide to allow for interception of any additional material eroded as a result of the proposed development based on soil and vegetative characteristics, slope and runoff characteristics, and impervious surface coverage. d. Use of existing cultural features to locate buffer zones: Where feasible, development and buffer zones should be located on the side of roads, dikes, irrigation canals, flood control channels, etc., away from the environmentally sensitive habitat area. e. <u>Use existing cultural features to locate buffer zones: The buffer zone</u>

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		<u>should be contiguous with the environmentally sensitive habitat area and make use of existing features such as roads, dikes, irrigation canals, and flood control channels where feasible.</u>
	<p>C 7.1.4 A 0.8 acre degraded wetland area has been identified on the undeveloped portion of the Waterfront Development site, near Beach Boulevard. The following requirement shall apply to the identified site: (I-C 7, I-C 8)</p> <p>Prior to permitting any development of the site and surrounding areas, submission of topographic, vegetation, and soils information identifying the extent and condition of the wetland is required. The information shall be prepared by qualified professionals, and shall be subject to review by the California Department of Fish and Game (DFG). A determination as to the viability and disposition of the wetland shall be made by the DFG, Coastal Commission and City. Pursuant to Sections 30233 and 30411 of the Coastal Act, and subject to the review and approval of the DFG and California Coastal Commission, the wetland area may be filled in exchange for enhancement, restoration or replacement of other more viable</p>	<p>C 7.1.4 A 0.8 acre degraded wetland area has been identified on the undeveloped portion of the Waterfront Development site, near Beach Boulevard. The following requirement shall apply to the identified site: (I-C 7, I-C 8)</p> <p>Prior to permitting any development of the site and surrounding areas, submission of topographic, vegetation, and soils information identifying the extent and condition of the wetland is required. The information shall be prepared by qualified professionals, and shall be subject to review by the California Department of Fish and Game (DFG). A determination as to the viability and disposition of the wetland shall be made by the DFG, Coastal Commission and City. Pursuant to Sections 30233 and 30411 of the Coastal Act, and subject to the review and approval of the DFG and California Coastal Commission, the wetland area may be filled in exchange for enhancement, restoration or replacement of other more viable</p>

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1985 Coastal Element	Proposed Coastal Element Environmentally Sensitive Habitat	Suggested Modifications
	wetland areas as selected and agreed upon by the City, DFG and Coastal Commission.	wetland areas as selected and agreed upon by the City, DFG and Coastal Commission.
9d. Establish a procedure to notify State and Federal agencies having regulatory authority in wetlands and other environmentally sensitive habitats when development projects in and adjacent to such areas are submitted to the City.	C 7.1.5 Notify State and Federal agencies having regulatory authority in wetlands and other environmentally sensitive habitats when development projects in and adjacent to such areas are submitted to the City. (I-C 8, I-C 12) (9d)	C 7.1.5 Notify <u>County</u> , State and Federal agencies having regulatory authority in wetlands and other environmentally sensitive habitats when development projects in and adjacent to such areas are submitted to the City. <u>The implementation of any Habitat Conservation Plan shall require an amendment to the Local Coastal Program. Incidental take of sensitive habitat and/or species that occurs in the context of development must be consistent with this LCP.</u> (I-C 8, I-C 12) (9d)
10. Promote the improvement of the biological productivity and appearance of wetland habitats.	C 7.2 Promote the improvement of the biological productivity and appearance of wetland and environmentally sensitive habitats. (10)	
10a. Promote the reestablishment of tidal flushing in wetland areas.	C 7.2.1 Promote the re-establishment of tidal flushing in wetland areas. (I-C 7, I-C 8, I-C 12) (10a)	
10b. Promote the participation of County, State and federal agencies in the enhancement and maintenance of environmentally sensitive habitats by actively pursuing	C 7.2.2 Promote the participation of County, State and federal agencies in the enhancement and maintenance of environmentally sensitive habitats by actively pursuing	

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Environmentally Sensitive Habitat	Suggested Modifications
funding from the California Coastal Conservancy and other State and federal agencies to develop and maintain landscaped buffer areas around the edge of the wetlands.	funding from the California Coastal Conservancy and other State and federal agencies to develop and maintain landscaped buffer areas around the edge of the wetlands. (I-C 12) (10 b)	
10c. Require that agencies involved in the enhancement of wetlands: <ul style="list-style-type: none"> a. site and design culverts to insure against the risk of flood damage to adjacent property, and b. develop a contingency plan to protect environmentally sensitive habitats in the event of spills of toxic and other harmful substances into the flood control channels. 	C 7.2.3 Require that agencies involved in the enhancement of wetlands implement the following measures: (I-C 7, I-C 8) (10c) <ul style="list-style-type: none"> a. Site and design culverts to ensure against the risk of flood damage to adjacent property, and b. Develop a contingency plan to protect environmentally sensitive habitats in the event of spills of toxic and other harmful substances into flood control channels. 	
10d. Request that the Orange County Flood Control District improve the Huntington Beach and Talbert Flood Control Channel embankments from Beach Boulevard to the Santa Ana River with plantings of native plant species to enhance wildlife diversity and visual appearance in the wetland areas.	C 7.2.4 Request that the Orange County Flood Control District improve, and continue to maintain once improved, the Huntington Beach and Talbert Flood Control Channel embankment from Beach Boulevard to the Santa Ana River with plantings of native plant species to enhance wildlife diversity and visual appearance in the wetland areas. (10d)	C 7.2.4 Request that <u>Encourage</u> the Orange County Flood Control District <u>to</u> improve, and continue to maintain once improved, the Huntington Beach and Talbert Flood Control Channel embankment from Beach Boulevard to the Santa Ana River <u>by implementing the following measures:</u> with plantings of native plant species to enhance wildlife diversity and visual appearance in the wetland areas. <ul style="list-style-type: none"> <u>a. Restore and enhance tidal flows into the area and expand the existing</u>

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Environmentally Sensitive Habitat	Suggested Modifications
		<p><u>mudflat and saltmarsh habitats.</u></p> <p><u>b. Plant native plant species to enhance wildlife diversity.</u></p> <p><u>c. Enhance the visual appearance of wetland areas.</u></p> <p><u>d. Projects that impact the wetlands shall be sited and designed to improve the overall functioning of the wetland ecosystem.</u> (10d)</p>
<p>9e.</p> <p>Prohibit all uses within the Least Tern nesting site on Huntington State Beach except those related to habitat restoration. Prohibit fill in any wetland areas for the purpose of road construction, except for roads required to serve uses allowed in wetlands pursuant to and consistent with Sections 30260-30264 for coastal dependent and energy uses. Also, if a project were approved pursuant to and consistent with Section 30233(a)(3), and a road was part of the approved project, such road would be permitted in portions of the severely degraded wetland where development is permitted. Any roads governed by this policy shall be limited to necessary access roads appurtenant to the facility, and shall be permitted only where there is no feasible less environmentally damaging alternative and where feasibility mitigation measures have been provided.</p>	<p>C 7.2.5</p> <p>Prohibit all uses within the least tern nesting site on Huntington State Beach except those related to habitat restoration. Prohibit fill in any wetland areas for the purpose of road construction, except for roads required to serve uses allowed in wetlands pursuant to and consistent with sections 30260-30264 for coastal dependent and energy uses. Also, if a project were approved pursuant to and consistent with section 30233(a)(3), and a road was part of the approved project, such a road would be permitted in portions of the severely degraded wetland where development is permitted. Any roads governed by this policy shall be limited to necessary access roads appurtenant to the facility, and shall be permitted only where there is no feasible, less environmentally damaging alternative and where feasibility mitigation measures have been provided. (9e)</p>	<p>C 7.2.5</p> <p>Prohibit all uses within the least tern nesting site on Huntington State Beach except those related to habitat restoration.</p> <p>Prohibit fill in any wetland areas for the purpose of road construction, except for roads required to serve uses allowed in wetlands pursuant to and consistent with sections 30260-30264 for coastal dependent and energy uses. Also, if a project were approved pursuant to and consistent with section 30233(a)(3), and a road was part of the approved project, such a road would be permitted in portions of the severely degraded wetland where development is permitted. Any roads governed by this policy shall be limited to necessary access roads appurtenant to the facility, and shall be permitted only where there is no feasible, less environmentally damaging alternative and where feasibility mitigation measures have been provided.</p>

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1985 Coastal Element	Proposed Coastal Element Environmentally Sensitive Habitat	Suggested Modifications
		(9e)
		<p><u>C 7.2.X2</u></p> <p><u>Prohibit fill in any wetland areas for the purpose of road construction, except for roads allowed pursuant to Section 30233 of the Coastal Act or when required to serve uses allowed in wetlands pursuant to and consistent with Sections 30260-30264 of the Coastal Act for coastal dependent and energy uses. Any roads governed by this policy shall be limited to necessary access roads appurtenant to the facility, and shall be permitted only where there is no feasible, less environmentally damaging alternative and where feasibility mitigation measures have been provided. (9e)</u></p>
	<p>C 7.3 Promote public awareness of sensitive habitats and their environmental benefits. (New)</p>	
	<p>C 7.3.1 Encourage educational centers such as wetland/coastal habitat models and information booths or displays in non-residential projects adjacent to or on sites with wetlands. (I-C 22b) (New)</p>	<p>C 7.3.1 Encourage educational centers such as wetland/coastal habitat models and information booths or displays in non-residential projects adjacent to or on sites with wetlands. <u>Such centers shall be sited and designed to prevent impacts, which would significantly degrade the wetlands. (I-C 22b) (New)</u></p>

Land Use Plan Suggested Modifications

M. ENERGY FACILITIES

1985 Coastal Element	Proposed Coastal Element Energy Facilities	Suggested Modifications
	C 8 (Goal) Accommodate energy facilities with the intent to promote beneficial effects while mitigating any potential adverse impacts. (New)	
11. Establish the interaction and coordination with other levels of government as a City function for energy-related issues affecting the City of Huntington Beach; promote better coordination among city departments	C 8.1 (Objective) Continue to pursue and promote interdepartmental coordination within the City, as well as, interagency coordination between the City, other levels of government and outside agencies regarding energy related issues affecting the City. (11)	
11a. Identify more completely the State and federal agencies with control or influence over energy issues and the role each plays in resolving those issues.	C 8.1.1 Maintain an up to date catalogue identifying the outside agencies with control or influence over energy issues, including a definition of their role, authority and responsibilities. (I-C 12) (New)	
11b. Identify the opportunities for local input in the planning and decision-making processes of State and federal agencies involved with energy issues.	C 8.1.2 Continue to identify and participate in opportunities for local input in the planning and decision making processes of Sate and federal agencies involved with energy issues. (I-C 12) (New)	
11c. Monitor energy activities that could affect Huntington Beach by 1) joining mailing lists	C 8.1.3 Monitor energy activities that could affect Huntington Beach by undertaking the	

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Energy Facilities	Suggested Modifications
<p>of relevant State and federal agencies, 2) commenting on EIR's, EIS's, call-for-nominations for OCS tract selections and other reviews, 3) periodically meeting with major energy companies in the City.</p> <p>11i. Promote increased coordination among municipal departments charged with different aspects of energy planning and regulation, and establish a common database for all departments involved with energy issues.</p>	<p>following tasks: (I-C 12) (11c)</p> <ul style="list-style-type: none"> a. Joining mailing lists of relevant State and federal agencies; b. Commenting on EIR's, EIS's, call-for-nominations for OCS tract selections and other reviews; and c. Periodically meeting with major energy companies in the City d. Promote increased coordination among municipal departments charged with different aspects of energy planning and regulation, and establish a common data base for all departments involved with energy issues. (11i) 	
<p>11d. Inventory and review existing oil spill plans and identify the role of the municipality (if any) in each.</p>	<p>C 8.1.4 Continue to inventory, review and monitor existing oil spill plans and ensure that the role of the City is defined and acceptable. (I-C 22o,p,q) (New)</p>	
<p>11e. Cooperate with the U.S. Coast Guard in the Local Response Team by providing personnel and equipment in an oil spill emergency.</p>	<p>C 8.1.5 Continue to support the U.S. Coast Guard in the Local Response Team effort for oil spill emergencies. (I-C 12) (New)</p>	
<p>11f. Support efforts of the U.S. Geological Survey and by the State Division of Oil and Gas to ensure the safety of all extraction and related activities onshore and offshore.</p>	<p>C 8.1.6 Continue to support efforts of the U.S. Geological Survey and State Division of Oil and Gas to ensure the safety of oil extraction and related activities onshore and offshore. (I-C 12) (11f)</p>	
<p>11g. Support efforts by the U.S. Coast Guard</p>	<p>C 8.1.7 Continue to support efforts by the U.S.</p>	

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Energy Facilities	Suggested Modifications
and the Army Corps of Engineers to protect marine traffic safety while accommodating offshore oil development.	Coast Guard and the Army Corps of Engineers to protect marine traffic safety while accommodating offshore oil development. <i>(I-C 12)</i> (11g)	
11j. Identify the location, status and ownership of all wells and tanks in the City; account for discrepancies between State and City records regarding number, location and status of wells.	C 8.1.8 Maintain an up to date data base identifying the location, status and ownership of all oil wells and tanks in the City. Account for any discrepancies between State and City records. <i>(I-C 22q)</i> (11j)	
11h. Amend the Oil Code and related zoning ordinances, if necessary, to incorporate provisions for the retention of access to underground oil reserves in new surface developments.	C 8.1.9 Through the development permit process, ensure that new development provides for the retention of access to underground oil reserves where needed. <i>(I-C 7, I-C 8)</i> (11h)	
12. Encourage the production of energy resources as efficiently as possible with minimal adverse impacts.	C 8.2 Encourage the production of energy resources as efficiently as possible with minimal adverse impacts. (12)	
12a. Support the research, development and application of new energy technologies so long as public health, safety and welfare are not jeopardized and environmental impacts are mitigated to the maximum possible extent.	C 8.2.1 Support the research, development and application of new energy technologies so long as public health, safety and welfare are not jeopardized and environmental impacts are mitigated to the maximum extent possible. <i>(I-C 7, I-C 17)</i> (12a)	
12b. As part of the permit process, require the mitigation of adverse impacts from new	C 8.2.2 Require the mitigation of adverse impacts from new technologies employed in	

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Energy Facilities	Suggested Modifications
technologies employed in electricity generation to the maximum extent feasible.	electricity generation to the maximum extent feasible. (I-C 7, I-C 8) (12b)	
12c. Encourage unitization and consolidation of existing oil operations and require the consolidation of new or expanded operations in accordance with policy 13a to the maximum extent feasible and legally permissible when such activities (1) reduce the area used for oil facilities, (2) are not more environmentally disruptive than existing arrangements and (3) do not jeopardize public health, safety or welfare.	C 8.2.3 Encourage unitization and consolidation of existing oil operations and require the consolidation of new or expanded operations in accordance with LCP Policy 8.3.4 to the maximum extent feasible and legally permissible when such activities (1) reduce the area used for oil facilities; (2) are not more environmentally disruptive than existing arrangements, and (3), do not jeopardize public health, safety or welfare. (I-C 7, I-C 8) (12c)	
12d. Utilize the oil suffixes to ensure that coastal dependent energy extraction is accommodated in areas designated other than "resource production," except for environmentally sensitive habitat areas.	C 8.2.4 Continue to accommodate coastal dependent energy extraction facilities within the Coastal Zone, excluding environmentally sensitive habitat areas. (I-C 1, I-C 2) (New)	C 8.2.4 Continue to Accommodate coastal dependent energy extraction facilities within the Coastal Zone <u>consistent with Sections 30260 through 30264 of the Coastal Act.</u> , excluding environmentally sensitive habitat areas. (I-C 1, I-C 2) (New)
12e. Update the City Oil Code to include consideration of "enhanced" oil recovery activities and to ensure the evaluation of impacts different from those associated with conventional extraction.	C 8.2.5 Continue to accommodate "enhanced" oil recovery activities that reduce negative environmental and safety impacts. (I-C 2, I-C 7) (New)	
12f. Study advanced recovery methods likely to		

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Energy Facilities	Suggested Modifications
be employed in the Huntington Beach field and their potential impacts; consider establishing a permitting system for these new activities.		
12g. Review the City Oil Code to determine the adequacy of measures to protect public safety; modify the Oil Code, if necessary, to adequately protect public safety.	C 8.2.6 Periodically review the City Oil Code to determine the adequacy of measures to protect public safety. Modify the Oil Code, if necessary. (I-C 3) (12g)	C 8.2.6 Periodically review the City Oil Code to determine the adequacy of measures to protect public safety. Modify the Oil Code, if necessary <u>accordingly to the extent that the revisions are not inconsistent with this LCP.</u> (I-C 3) (12g)
12h. Review monitoring and enforcement of the City Oil Code and Noise Ordinance as related to energy operations to determine their effectiveness in regulating energy operations, and where necessary adopt improvements.	C 8.2.7 Periodically review monitoring and enforcement of the City Oil Code and Noise Ordinance as related to energy operations to determine their effectiveness in regulating energy operations, and where necessary adopt improvements. (I-C 3, I-C 6) (12h)	C 8.2.7 Periodically review monitoring and enforcement of the City Oil Code and Noise Ordinance as related to energy operations to determine their effectiveness in regulating energy operations, and where necessary adopt improvements <u>to the extent that the revisions are not inconsistent with this LCP.</u> (I-C 3, I-C 6) (12h)
12i. Evaluate spill plans to see if they recognize especially sensitive areas in the City, including Huntington Harbor, the wetlands, the Santa Ana River mouth and the Least Tern Nesting Area, and if they include measures to protect these in case of a major spill; petition relevant agencies to amend spill plans if the plans lack such measures.	C 8.2.8 Ensure that both on and off shore oil spill containment plans for the City include adequate measures to protect the shoreline and sensitive areas such as Huntington Harbour, the wetlands, the Santa Ana River mouth and the least tern nesting area, as well as the health, safety and welfare of the public in case of an oil spill. (I-C 22q) (New)	C 8.2.8 Ensure that both on and off shore oil spill containment plans for the City include adequate measures <u>consistent with this LCP</u> to protect the shoreline and sensitive areas such as Huntington Harbour, the wetlands, the Santa Ana River mouth and the least tern nesting area, as well as the health, safety and welfare of the public in case of an oil spill. (I-C 22q) (New)

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Energy Facilities	Suggested Modifications
12j. Determine whether existing requirements for oil spill plans are adequate to protect public health, safety and welfare in Huntington Beach; modify the Oil Code, if necessary, to ensure such protection from spills.		
12k. Review the tank farms and the surrounding areas to evaluate possible impacts in case of dike system failure; develop an emergency evacuation plan specifically for the areas adjacent to the tank farms if such a plan is necessary.	C 8.2.9 Maintain the requirements for site specific emergency evacuation plans for the areas adjacent to the tank farms in the event of dike system failure or other upset. Ensure that the contingency plan provide for the protection of public health, safety and welfare, as well as sensitive habitat areas nearby. (I-C 2, I-C22q) (New)	C 8.2.9 Maintain the requirements for site specific emergency evacuation plans for the areas adjacent to the tank farms in the event of dike system failure or other upset. Ensure that the contingency plans, <u>s, consistent with this LCP,</u> provide for the protection of public health, safety and welfare, as well as sensitive habitat areas nearby. (I-C 2, I-C22q) (New)
12l. Investigate the possibility of obtaining funding or compensation for activities related to the prevention, monitoring and clean-up of oil spills.	C 8.2.10 Continue to participate in the Orange County Cities Hazardous Material Emergency Response Authority or its equivalent to provide for coordination, training and compensation for prevention, monitoring and clean up of oil spills and/or hazardous materials. (I-C 12) (New)	
13. Plan for new energy production facilities in order to maximize efficiency and minimize their adverse impacts on coastal resources.	C 8.3 Accommodate new energy production facilities while requiring maximum efficiency and mitigation of adverse impacts.	
12m. Promote the use of solar energy and	C 8.3.1 Promote the use of solar energy and	

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Energy Facilities	Suggested Modifications
encourage energy conservation.	encourage energy conservation. (I-C 1, I-C 2, I-C-3, I-C 8) (12m)	
12n. Inventory existing credits and incentives regarding solar energy and conservation available to individuals, businesses and the City from State and federal governments and make this information available to the public.	C 8.3.2 Inventory existing credits and incentives regarding solar energy and conservation available to individuals, businesses and the City from State and Federal governments and make this information available to the public. (I-C 12) (12n)	
12o. Encourage development of new methods to conserve energy such as (1) solar access and orientation, (2) solar water heating requirements for new developments, (3) the limited use of conventional fuels for heating swimming pools, (4) requirements for "weatherization" and other minimum conservation measures, and (5) energy audits of buildings at time of deed transfer.	C 8.3.3 Encourage development of new methods to conserve energy such as the following: (I-C 2, I-C 7) (12o) a. Solar water heating requirements for new developments; b. Solar access and orientation; c. The limited use of conventional fuels for heating swimming pools; d. Requirements for "weatherization" and other minimum conservation measures, and e. Energy audits of buildings at time of deed transfer.	
13a. Adopt the following priority for siting new oil-related facilities, provided that in each case (a) the new activities are adequately screened and buffered from surrounding uses, (b) adverse environmental impacts are mitigated to the maximum extent feasible, (c) the activities do not jeopardize public health, safety or welfare, and (d)	C 8.3.4 Adopt the following priority for siting new oil-related facilities, provided that the new activities are adequately screened and buffered from surrounding uses, adverse environmental impacts are mitigated to the maximum extent feasible, the activities do not jeopardize public health, safety or welfare, and there is no other feasible	

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1985 Coastal Element	Proposed Coastal Element Energy Facilities	Suggested Modifications
there is no other feasible location which is less environmentally damaging or less disruptive of significant social, aesthetic or economic concerns.	location which is less environmentally damaging or less disruptive of significant social, aesthetic or economic concerns: <i>(I-C 2, I-C 4)</i> (13a) a. Existing, consolidated islands b. New consolidated islands c. Existing oil parcels d. New parcels outside the coastal zone e. New parcels within the coastal zone	
13b. Encourage the use of excess capacity of existing facilities; approve construction of new separation and treatment facilities only if it is infeasible to utilize the excess capacity of existing facilities and is consistent with the resource protection policies contained in this plan.	C 8.3.5 Encourage the merger of existing oil production sites to approved consolidation sites. <i>(I-C 2, I-C 4)</i> (New)	
13c. Encourage the phase-out of existing wells on the oceanside of Pacific Coast Highway; approve no new onshore wells or redrilling on the oceanside of Pacific Coast Highway unless all of the following conditions are met (1) the resources are not recoverable from any other onshore location or existing platform, (2) the site is improved to become compatible with recreation uses of the beach, (3) public health, safety and welfare are not jeopardized, (4) adverse environmental impacts are mitigated to the maximum extent feasible, (5) the net overall impact of oil production facilities on	NA	

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Energy Facilities	Suggested Modifications
visual resources is improved, and (6) safe access to the beach is provided.		
13d. Review the expansion of existing tanker unloading operations to determine whether there is an increased threat posed to recreational activities and sensitive habitats in the area.	C 8.3.6 Participate in the evaluation of any proposed tanker unloading operations off of the Huntington Beach shoreline. Ensure that upset risks be adequately addressed and discourage increased threats to recreational activities and sensitive habitats. (I-C 7, I-C 8, I-C 12) (New)	
13e. Encourage the use of pipelines rather than tankers, where feasible, to transport offshore oil and gas to shore.	C 8.3.7 Require the use of pipelines rather than tankers to transport offshore oil and gas to shore. (I-C 2, I-C 8, I-C 12) (13e)	
13f. Discourage new marine terminals from locating in Huntington Beach.	C 8.3.8 Coordinate with responsible agencies to discourage the re-activation of the existing marine terminal off of the City's shoreline, and discourage the development of new marine terminals off of the Huntington Beach shoreline. (I-C 7, I-C 8, I-C 12) (13f)	C 8.3.8 Coordinate with responsible agencies to discourage the re-activation of the existing marine terminal off of the City's shoreline, and discourage the development of new marine terminals off of the Huntington Beach shoreline. <u>Coordinate with responsible agencies to discourage the re-activation or construction of offshore marine terminals where the terminals cannot be accommodated without resulting in either 1) increased tanker operations and associated onshore development incompatible with the land use and environmental goals for the area or 2) increased risk to environmentally</u>

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Energy Facilities	Suggested Modifications
		<u>sensitive habitat areas.</u> (I-C 7, I-C 8, I-C 12) (13f)
13g. As part of the permit process, require that a survey be conducted along the route of any new pipeline in the coastal zone to determine what, if any, coastal resources may be impacted by construction and operation of the pipeline.	C 8.3.9 As a part of the permit process, require that a survey be conducted along the route of any new pipeline in the coastal zone to determine what, if any, coastal resources may be impacted by construction and operation of the pipeline. (I-C 7) (13g)	
13h. Require the routes of new pipelines and transmission lines to avoid important coastal resources, including recreation areas and sensitive habitats, to the maximum extent feasible; pipelines which cannot be routed to avoid such areas shall be constructed and maintained in ways that minimize the impacts from spills or leaks to the maximum extent feasible; appropriate cleanup and spill prevention measures shall be included in a spill contingency plan.	C 8.3.10 Require the routes of new pipelines and transmission lines to avoid important coastal resources, including recreation areas and sensitive habitats, to the maximum extent feasible; pipelines which cannot be routed to avoid such areas shall be constructed and maintained in ways that minimize the impacts from spills or leaks to the maximum extent feasible; appropriate cleanup and spill prevention measures shall be included in a spill contingency plan. (I-C 7, I-C 8) (13h)	
13i. Require automatic shutoff valves to isolate segments of pipelines carrying hazardous liquids passing through important coastal resource areas, including recreation, sensitive habitat and archaeological areas.	C 8.3.11 Require automatic shut off valves to isolate segments of pipelines carrying hazardous liquids passing through important coastal resource areas, including recreation, sensitive habitat and archeological areas. (I-C 2, I-C 8) (13i)	

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Energy Facilities	Suggested Modifications
		<u>C 8.3.X1</u> <u>Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur. (30232)</u>
13j. As part of the permit process, require the mitigation of erosion in the siting and construction of new pipelines.	C 8.3.12 As part of the permit process, require the mitigation of erosion in the siting and construction of new pipelines. (I-C 2, I-C 8) (13j)	
13k. Prohibit the use of chemical herbicides during pipeline construction.	C 8.3.13 Prohibit the use of chemical herbicides during pipeline construction. (I-C 8) (13k)	
13l. Encourage new transmission line corridors to be consolidated with existing electrical transmission corridors, where feasible, unless there are overriding technical constraints or significant social, aesthetic, environmental or economic concerns.	NA	
13m. Require new pipelines including offshore to onshore lines to be consolidated in existing pipeline corridors, where feasible, unless there are overriding technical constraints or	C 8.3.14 Require new pipelines, including offshore to onshore lines to be consolidated in existing pipeline corridors, where feasible, unless there are overriding technical constraints or	

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1985 Coastal Element	Proposed Coastal Element Energy Facilities	Suggested Modifications
significant social, aesthetic, environmental or economic concerns.	significant social, aesthetic, environmental or economic concerns. (I-C 2, I-C 7) (13m)	
13n. As part of the permit process, require mitigation measures to repair scarring, grading or other vegetative removal resulting from transmission line or pipeline installation or maintenance through methods including but not limited to spreading topsoil removed in pipeline trenching over the surface of the construction area; affected areas are to be re-vegetated with plants similar to those in the area.	C 8.3.15 As part of the permit process, require mitigation measures to repair scarring, grading or other vegetative removal resulting from transmission line or pipeline installation or maintenance through methods including but not limited to spreading topsoil removed in pipeline trenching over the surface of the construction area. Affected areas are to be re-vegetated with plants similar to those in the area. (I-C 2, I-C 7, I-C 8) (13n)	
14. Promote compatibility of oil and other energy-related activities with surrounding uses to the maximum extent feasible.	C 8.4 Minimize the safety and aesthetic impacts of resource production facilities on non-resource production land uses. (14)	
14a. Review and modify the Oil Code, if necessary, to include measures such as additional requirements regarding fencing, planting and landscaping to ensure aesthetic and environmental compatibility between oil activities and other uses.	C 8.4.1 Promote aesthetic and environmental compatibility between oil activities and other uses through measures such as fencing, planting and landscaping, screening and buffering. (I-C 2, I-C 4) (New)	
14b. Pursue strategies with the State and the oil companies to improve the appearance of existing oil wells and related facilities on the	NA	

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1985 Coastal Element	Proposed Coastal Element Energy Facilities	Suggested Modifications
ocean side of Pacific Coast Highway.		
<p>14c. Before permitting any expansion of the Edison power plant, require development of a comprehensive screening plan with appropriate landscaping which meets the standard of State agencies having jurisdiction over such expansion.</p> <p>14h. Encourage screening of existing Edison power plant facilities via planting of trees and shrubs; pursue strategies to this end with Southern California Edison.</p>	<p>C 8.4.2 Encourage the owners of the electric generating plant located on Pacific Coast Highway to provide landscaping and other measures to buffer and screen the power plant from Pacific Coast Highway and Beach Boulevard. Require any power plant expansion or alteration proposals to include adequate buffer and screening measures. (I-C 2, I-C 7) (New)</p>	
<p>14d. Encourage comprehensive planning for new uses on large oil parcels; discourage piece-meal recycling of oil parcels.</p>	<p>C 8.4.3 Encourage comprehensive planning for new uses on large oil parcels. (I-C 1, I-C 2) (14d)</p>	
<p>14e. Encourage dual-uses of oil field surface areas so long as (1) new uses and oil activities are compatible, and (2) access to underground zones can be accommodated by the new use.</p>	<p>C 8.4.4 Encourage dual-uses of oil field surface areas so long as new uses and oil activities are compatible, and access to underground zones can be accommodated by the new use. (I-C 1, I-C 2) (14e)</p>	
<p>14f. Encourage the conversion of the rotary mud dump on Hamilton and Magnolia to new uses if the contents of the dump are found not to be dangerous to public health, safety and welfare, or if all harmful deposits are decontaminated.</p>	<p>C 8.4.5 Encourage the conversion of the NESI (Ascon) site at the southwest corner of Hamilton and Magnolia to new uses if the contents of the site are found not to be dangerous to public health, safety and welfare, or if all harmful deposits are</p>	

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Energy Facilities	Suggested Modifications
14g. As part of the existing environmental review process, require a chemical analysis of the contents of the rotary mud dump, a geological study of the site and necessary mitigation measures before allowing new uses on the rotary mud dump.	removed, capped or decontaminated pursuant to Federal and State Environmental Protection Agency, as well as, City safety standards. (I-C 1, I-C 2, I-C 4, I-C 7, I-C 8) (14f)	

N. WATER, SEWER, AND DRAINAGE FACILITIES

1985 Coastal Element	Proposed Coastal Element Water, Sewer, Drainage Facilities	Suggested Modifications
	C 9 (Goal) Provide water, sewer and drainage systems that are able to support permitted land uses; upgrade existing deficient systems; and pursue funding sources to reduce costs of wastewater service provision in the City.	
	C 9.1 (Objective) Provide and maintain water, sewer and drainage systems that adequately serve planned land uses at a maximized cost efficiency.	
	C 9.1.1 Approve and implement development in accordance with the coastal element land use plan. (I-C 21)	
	C 9.1.2 Adopt and maintain master plans and	C 9.1.2 Adopt and maintain master plans and

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Water, Sewer, Drainage Facilities	Suggested Modifications
	capital improvement programs to ensure that water, sewer and drainage needs are met. The master plan and capital improvement program shall address issues such as ongoing maintenance, new facility needs to meet projected demands of planned land uses, funding sources, phasing and prioritization and responsible agencies. (I-C 10, I-C 18, I-C 22) (New)	capital improvement programs <u>consistent with this LCP</u> to ensure that water, sewer and drainage needs are met. The master plan and capital improvement program shall address issues such as ongoing maintenance, new facility needs to meet projected demands of planned land uses, funding sources, phasing and prioritization and responsible agencies. (I-C 10, I-C 18, I-C 22) (New)
		<u>C 9.1.XI</u> <u>New sewer systems and substantial improvements to existing sewer systems shall incorporate monitoring systems which verify the operational integrity of the sewer system to provide automatic shutdown, isolation of failed segments and warnings of problems.</u>

O. HAZARDS

1985 Coastal Element	Proposed Coastal Element Hazards	Suggested Modifications
	C 10 (Goal) Minimize risks to life and property in areas of high hazards (e.g., Geologic, flood and fire) within the coastal zone and ensure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction	

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Hazards	Suggested Modifications
	of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. (30253)	
16. Incorporate the policies of the City's Seismic-Safety Element as the major component of the L.C.P. addressing hazards in the Coastal zone.	C 10.1 (Objective) Identify potential hazard areas in the City and manage/mitigate potential risks and impacts through land use regulation, public awareness and retrofitting where feasible. (New)	
	C 10.1.1 Maintain a complete data-base of the locations and distribution of seismic and geologic hazards related to ground shaking, liquefaction, subsidence, soil stability, slope stability and water table levels.	
	C 10.1.2 Promote land use patterns, zoning ordinances and locational criteria that mitigate potential risks posed by development in hazard areas, or which significantly reduce risk from seismic hazards.	
	C 10.1.3 Require seismic/geologic assessment prior to construction in the Alquist-Priolo Earthquake Fault Zone as shown in Figure C-28.	
	C 10.1.4	

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Hazards	Suggested Modifications
	Require appropriate engineering and building practices for all new structures to withstand ground shaking and liquefaction such as those stated in the Uniform Building Code.	
	C 10.1.5 Establish specific priorities for improvement of existing structures based on hazard to life, type of occupancy, method of construction, physical condition, and location.	
	C 10.1.6 Minimize bluff and mesa edge erosion through the regulation of new development up stream.	
	C 10.1.7 Minimize beach sand loss through the regulation of new development.	
	C 10.1.8 Continue to establish, through the identification of Methane Overlay Districts, areas of existing methane seepage in the Coastal Zone as shown in Figure C-32 and continue to investigate and evaluate new areas in the City with methane seepage.	
	C 10.1.9 Maintain and revise as necessary, standards of construction within identified Methane Overlay Districts.	C 10.1.9 Maintain and revise as necessary, standards of construction <u>(consistent with this LCP)</u> within identified Methane Overlay Districts.
	C 10.1.10	

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Hazards	Suggested Modifications
	Establish, enforce and periodically update testing requirements for sites proposed for new construction within the identified Methane Overlay Districts.	
	C 10.1.11 Provide mitigation measures and other assistance intended to reduce the potential for the buildup of methane to hazardous levels within existing buildings (residences and businesses).	
	C 10.1.12 Monitor methane levels in the identified Methane Overlay District.	
	C 10.1.13 Prepare emergency response plans for use in methane related emergencies.	
	C 10.1.14 During major redevelopment or initial construction, require specific measures to be taken by developers, builders or property owners in flood prone areas (Figure C-33), to prevent or reduce damage from flooding and the risks upon human safety.	C 10.1.14 During major redevelopment or initial construction, require specific measures to be taken by developers, builders or property owners in flood prone areas (Figure C-33), to prevent or reduce damage from flooding and the risks upon human safety. <u>Development shall, to the maximum extent feasible and consistent with the Water and Marine Resource policies of this LCP, be designed and sited to:</u> <u>a. avoid the use of protective devices,</u> <u>b. avoid encroachments into the floodplain, and</u>

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Hazards	Suggested Modifications
		<u>c. remove any encroachments into the floodplain to restore the natural width of the floodplain.</u>
	C 10.1.15 Maintain and upgrade, as appropriate, the County of Orange and the City of Huntington Beach's flood control systems in conjunction with the Santa Ana River Main Stem Project to minimize hazards due to flooding.	C 10.1.15 Maintain and upgrade, as appropriate, the County of Orange and the City of Huntington Beach's flood control systems in conjunction with the Santa Ana River Main Stem Project to minimize hazards due to flooding. <u>To the maximum extent feasible, upgrading to the 100 year flood event should be accomplished through development setbacks and the removal of encroachments into the floodplain. Upgrades to the flood control system shall incorporate the best mitigation measures. (30236)</u>
	C 10.1.16 Support the Santa Ana River Main Stem Project.	C 10.1.16 Support the Santa Ana River Main Stem Project <u>to the extent that it is consistent with the policies and standards of this LCP.</u>
	C 10.1.17 Coordinate with the County of Orange for the operation of the County's portion of the flood control system.	
	C 10.1.18 Maintain the City's portion of the flood control system at a level necessary to	C 10.1.18 Maintain the City's portion of the flood control system at a level necessary to

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Hazards	Suggested Modifications
	protect residents from 100-year flood risks.	protect residents from 100-year flood risks. <u>Upgrades to the flood control system shall incorporate the best mitigation measures feasible.</u>
	C 10.1.19 Identify tsunami and seiche susceptible areas (Figure C-30), and require that specific measures be taken by the developer, builder or property owner during major redevelopment or initial construction, to prevent or reduce damage from these hazards and the risks upon human safety.	C 10.1.19 Identify tsunami and seiche susceptible areas (Figure C-30), and require that specific measures be taken by the developer, builder or property owner during major redevelopment or initial construction, to prevent or reduce damage from these hazards and the risks upon human safety. <u>Development permitted in tsunami and seiche susceptible areas shall be designed and sited to minimize this hazard and shall be conditioned to prohibit a shoreline protective device.</u>
	C 10.1.20 Participate in the National Weather Service or other system for local tsunami and/or seiche warnings.	
	C 10.1.21 Maintain a thorough knowledge of the location and distribution of peat conditions in the City of Huntington Beach Coastal Zone and minimize associated hazards through the regulation of new development.	
		<u>C 10.1.XI</u>

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Hazards	Suggested Modifications
		<u>Subsidence shall be monitored and groundwater re-pressurization or other methods shall be used to limit potential subsidence impacts.</u>
		<u>C 10.1.X2</u> <u>Where development areas adjoin bluffs, all buildings and habitable structures shall be set back a sufficient distance from the bluff edge to be structurally safe from the threat of bluff erosion for a minimum of seventy-five (75) years. Geotechnical engineering reports shall be required from all applicants at the time an application for development adjoining a blufftop is submitted to determine the adequacy of any proposed setback.</u>

P. INTERAGENCY COORDINATION

1985 Coastal Element	Proposed Coastal Element Interagency Coordination	Suggested Modifications
	C 11 (Goal) Provide for formal cooperation among adjacent jurisdictions and other public agencies whose actions may have significant impacts on the City's coastal zone resources and planning efforts.	
	C 11.1 (Objective) Establish a process to ensure adequate	

Land Use Plan Suggested Modifications

1985 Coastal Element	Proposed Coastal Element Interagency Coordination	Suggested Modifications
	inter-jurisdictional coordination.	
<p>17. Establish a staff coordinating committee of representatives from planning, public works and community services to coordinate and cooperate with adjacent jurisdictions and other public agencies in developing and reviewing plans affecting the Huntington Beach coastal zone and adjacent areas. Such committee shall review plans and provide comments and recommendations for:</p> <ul style="list-style-type: none"> • Bolsa Chica • Huntington and Bolsa Chica State Beach • Santa Ana River Flood Control Project • Other related projects 	<p>C 11.1.1 Establish a staff coordinating committee of representatives from planning, public works and community services to coordinate and cooperate with adjacent jurisdictions and other public agencies in developing and reviewing plans affecting the Huntington Beach Coastal Zone and adjacent areas. The committee shall review plans and provide comments and recommendations for the following projects/project areas: (I-C 12) (17)</p> <ol style="list-style-type: none"> 1. The Bolsa Chica 2. Huntington and Bolsa Chica State Beach 3. Santa Ana River Flood Control Project 4. Arterial Highways and Bridges (Planning) 5. NESI (Ascon) site (Planning) 	

Q. IMPLEMENTATION PROGRAMS

I-C 1

Coastal Element

Implement the Coastal Element Land Use Plan Map and policies. The Coastal Element should be reviewed and updated periodically to ensure consistency with the General Plan and Coastal Act. In the event of a proposed amendment to the Coastal Element, the established procedure for general plan amendments, including environmental review, public notification and hearings, shall be followed. In addition, Coastal Act procedures for amending Coastal Elements shall be followed.

I-C 2

Zoning and Subdivision Ordinance

The principal method for the implementation of the Coastal Element is the Huntington Beach Zoning and Subdivision Ordinance. The City's zoning mechanisms, such as the "City of Huntington Beach District maps", and Huntington Beach Zoning and Subdivision Ordinance shall be updated to be consistent with the Coastal Element provisions of the land use, density/intensity, design and development standards, and other pertinent policies contained in this Element, and shall be incorporated into the Local Coastal Program Implementation Program. **Updates affecting the coastal zone will be processed as amendments to the City's Local Coastal Program and will not become effective until certified by the California Coastal Commission.**

I-C 3

Other Ordinances

- a) Continue to implement the City's sign, oil and landscape ordinances ~~as they apply to the Coastal Zone, as well as other ordinances, as they are applicable~~ **to the extent that they are not inconsistent with the Coastal Element.** Periodically review and update all Coastal Zone applicable ordinances to ensure consistency with the Coastal Act and Coastal Element policy. **Ordinance updates affecting the coastal zone will be processed as amendments to the City's Local Coastal Program and will not become effective until certified by the California Coastal Commission.**
- b) Adopt and enforce an ordinance to define, identify and protect significant trees and groves in the Coastal Zone **consistent with the standards of the City's Local Coastal Program.** Require that removed mature trees be replaced at a 2:1 ratio.
- c) Adopt and enforce an Efficient Water Use Ordinance in accordance with AB325 **to the extent that it is not inconsistent with the Coastal Element.** The Efficient Water Use Ordinance shall require the following to use reclaimed water, where available, in landscape areas:
 1. Homeowner associations';
 2. Public buildings; and
 3. Non-residential buildings with landscaped areas greater than 5,000 square feet.

Land Use Plan Modifications

- d) Develop and implement a pollutant runoff control program/ordinance that includes structural controls, non-structural controls, and best management policies. Require all residential, commercial, and industrial sites and construction sites to implement the pollutant runoff control program. Include guidelines for the use of anti-fouling treatments by boat repair service operating in the City of Huntington Beach and the use of such treatments by boat owners that use Huntington Harbour as their home port. **The water quality ordinance will be processed as an amendment to the City's Local Coastal Program and will not become effective until certified by the California Coastal Commission.**
- e) Continue to expand the NPDES program, as appropriate **consistent with the City's Local Coastal Program**, including the following:
1. Adopting an ordinance patterned after the countywide ordinance requiring industries and businesses, and construction activities larger than five acres to obtain regulatory permits for pollution runoff control;
 2. Adopting a drainage area management plan for the city to control pollution runoff, and
 3. Performing a reconnaissance survey of the discharges to eliminate illegal and illicit surface water and groundwater discharges.

I-C 4

Specific Plans

Continue to use Specific Plans as a mechanism to provide more thorough and definitive planning standards for both the undeveloped lands and the revitalization of existing urbanized areas.

Specific Plan amendments will be processed as amendments to the City's Local Coastal Program and will not become effective until certified by the California Coastal Commission.

Specific Plans shall be considered and/or continued for a number of areas, including the following within the Coastal Zone:

- Downtown
- Huntington Harbour Bayclub
- Holly Seacliff (a portion of)
- Seacliff
- Magnolia/Pacific
- Palm/Goldenwest

I-C 5

Building Codes

- a) The City shall continue to use the Uniform Building Code, National Electrical Code, Uniform Plumbing Code, Uniform Mechanical Code, American Disabilities Act, and Uniform Fire Code, as adopted by the State of California and local amendments, as the sets of rules and regulations by which new construction, adaptive re-use, and renovations shall occur. The Codes shall be reviewed to ensure their consistency with the Coastal Element; reflect changes in State legislation, and reflect conditions that are unique to the City.
- b) Utilize the State of California Historic Structures Building Code **to the extent it is not inconsistent with the City's Local Coastal Program** to accommodate the rehabilitation and revitalization of historic and older structures.

I-C 6

Code Enforcement/Maintenance

- a) City of Huntington Beach codes and ordinances that implement the Coastal Element shall be enforced. The City may wish to expand pro-active code enforcement efforts to include periodic City-initiated surveys of buildings and site conditions, and, where problems are found, require code compliance.
- b) Solicit volunteer groups (local scouts, local ecological groups, churches, etc.) to coordinate and work annual volunteer "clean up" sessions or other programs at beaches and other recreational facilities within the Coastal Zone.
- c) Clean and inspect City marine facilities daily.

I-C 7

Design and Development Review

- a) Some of the policies in the Coastal Element specify standards and guidelines for architecture, site, and landscape design for development within the Coastal Zone. These policies should be implemented in the following manner:
 - 1. The most critical should be incorporated in the City's Zoning and Subdivision Ordinance.
 - 2. The guidelines and standards should be incorporated into and precisely defined in Specific Plans.
 - 3. They may be formally structured as Design Guidelines, to be used to review proposed development projects subject to discretionary review. In this application, guidelines should be defined as they apply to each category of use within the Coastal Zone, and for specific uses and sub-areas, as applicable.

Land Use Plan Modifications

- b) Development review procedures should include review by all City Departments and outside service providers, as appropriate. Recommendations of other public agencies that provide infrastructure, facilities, and services should be reviewed through the development review process.
- c) The City Design Review Board shall review projects subject to discretionary approval according to their compliance with **the City's Local Coastal Program. Other established design guidelines may be used to the extent they are not inconsistent with the City's Local Coastal Program.** established design and, as applicable, historic guidelines and standards.
- d) Require through the development/design review process the following:
 - 1. That all Huntington Beach facilities have barrier free access;
 - 2. The protection, enhancement and sensitive development of park and open space areas which possess scenic, environmental, historic, and cultural values;
 - 3. That all park and recreation facility sites have numerous access points to roads, paths, trails and bikeways, and
 - 4. The construction and dedication of recreational trails and bikeways determined to enhance and/or link the existing trails and bikeways system.
 - 5. Review potential impacts of proposed projects to the circulation system and require appropriate mitigation measures. **Proposed projects shall be designed to, or include mitigation measures that, facilitate the provision or extension of transit service and minimize energy consumption and vehicle miles traveled.**
 - 6. Require that new bicycle trip destinations be equipped with bicycle racks.
 - 7. Review all projects for potential visual impacts to surrounding areas.
 - 8. Utilize the development review process to examine each development's potential to provide public plazas, entry courts, or common areas. Require such amenities where feasible and appropriate.
 - 9. Require that coastal recreational facilities to be developed with amenities that can be used during all of the seasons.
 - 10. Require a truck routing plan for all proposed mineral/oil extraction operations.
 - 11. Require all extraction operations to mitigate noise, odor and dust impacts to the maximum extent feasible.
 - 12. Require extraction operations to visually buffer extraction facilities and equipment from surrounding land uses.
 - 13. Require a reclamation plan, if needed, pursuant to state and federal statutes.

Land Use Plan Modifications

14. Require that all proposals for mineral/oil extraction and reclamation be reviewed by the Planning Commission and City Council.
 15. All new development shall be linked to the existing sewer system.
 16. Sufficient utility capacity, including potable water supply must be available at time of occupancy or earlier, unless adequate alternative mitigation is approved.
 17. Water efficient fixtures shall be required for all new development.
 18. The use of reclaimed water for the irrigation of all large landscaped areas in all developments shall be encouraged.
- e) **Revisions to policies and standards affecting the City's coastal zone which are contained in the Coastal Element, Specific Plans, the City's Zoning Code, and other City Ordinances shall be processed as amendments to the City's Local Coastal Program and shall not become effective until certified by the California Coastal Commission.**

I-C 8

Environmental Review

- a) Annually review procedures of the California Environmental Quality Act mandating environmental review of projects for consistency with the Plan, legislative changes, and their effectiveness in providing adequate information for discretionary project approvals.
- b) Utilize the development review/environmental review process to determine the proposal's conformance with the requirements of local, State, and Federal environmental protection laws, such as but not limited to the California Environmental Quality Act (CEQA).
- c) For proposed projects within the Coastal Zone, utilize the development review/environmental review process to accomplish the following:
 1. Examine each development's potential to ~~encroach upon environmentally sensitive areas~~ **affect habitat. To the maximum extent feasible project impacts on habitat shall be minimized through avoidance. In the event mitigation is necessary, mitigation shall be provided on-site if feasible or within the general vicinity if on-site mitigation is not feasible.** Determine the necessity for Mitigation Agreements or other coordination with the California Department of Fish and Game, California Coastal Commission and/or federal agencies to obtain necessary permits for developments that appear to affect environmentally sensitive areas **habitat**. ~~Limit encroachment within environmentally sensitive areas in accordance with Coastal Act policy.~~
 2. Permit resource dependent and incidental public service related land uses within **wetlands and** environmentally sensitive habitat areas **only if** consistent with **the following** Coastal Act policy **policies: Section 30233 and Section 30240.**

Land Use Plan Modifications

3. Require improving the natural biological value, integrity and function of coastal wetlands and dunes through **native** vegetation restoration, control of alien plants and animal, landscape buffering and development setbacks.
4. Review any development proposal for the Bolsa Chica area to ensure that no development is permitted in ~~Federally delineated~~ wetlands.
5. Review any development proposed for non-wetland areas to ensure that appropriate setbacks and buffers are maintained between development and environmentally sensitive areas to protect habitat quality.
6. Maintain on file an up to date copy of the Department of Fish and Game's Natural Diversity Data Base and utilize the information when conducting development review and/or environmental analysis of proposed projects or activities in the Coastal Zone.

I-C 9

Access

Circulation

- a) Implement the Potential For 2010 Circulation Plan as depicted in **Figure C-12** of this Coastal Element. Update as necessary to maintain consistency with the General Plan, **however, revisions to 2010 Circulation Plan, occurring in the coastal zone shall be processed as an LCP amendment and shall not become effective until certified by the Commission.**
- b) **THROUGH THE CITY'S DEVELOPMENT REVIEW AND CALIFORNIA ENVIRONMENTAL QUALITY REVIEW PROCESS**, require an analysis of traffic impacts **(including public access to the coast)** and a program for the implementation of mitigation measures for new development and the adaptive re-use of existing structures, where it is determined to be appropriate. The studies should include an analysis of the following:
 1. Specific site characteristics such as access/ingress, level of service at peripheral intersections, traffic intrusion into adjacent residential neighborhoods;
 2. Compliance with the Congestion Management Plan and Circulation Element;
 3. Improvements required by new development;
 4. Timing of improvements;
 5. Funding of improvements, and
 6. Transportation demand management strategies, **including strategies that would minimize energy consumption and vehicle miles traveled;**

Land Use Plan Modifications

7. **An analysis of traffic impacts (including cumulative and parking impacts) on the ability of the public to access the coast with mitigation measures designed to enhance, where feasible, public access to the coast; and**
 8. **Effect of proposed development and circulation improvements on the provision or extension of transit service.**
- c) Continue to implement, review, monitor and update, as necessary **to improve public coastal access**, the following:
1. Existing and proposed roadway systems on an annual basis. Use the information to identify and prioritize capital improvements including road widening, paving and intersection improvements **to promote public coastal access opportunities when consistent with the City's Local Coastal Program;**
 2. The City's circulation plan, as it pertains to the Coastal Zone area **to the extent it is consistent with the City's Local Coastal Program;**
 3. The City's traffic model **to the extent it is consistent with the City's Local Coastal Program;**
 4. The City's Trail Master Plan **to the extent it is consistent with the City's Local Coastal Program;**
- d) Coordinate with neighboring jurisdictions regarding circulation for autos, pedestrians and cyclists **to promote coastal access opportunities.**
- e) Explore the use of water taxis in Huntington Harbour and ocean frontages, especially those near commercial land uses.

Parking Management

- f) ~~Implement the Residential parking Permit Program (Municipal Code Chapter 10.42) in residential areas where parking shortages occur.~~ **Prohibit the implementation of preferential parking districts whenever it would adversely affect public access to the coast through a reduction in the availability of public parking spaces used by public visitors to the coast.**
- g) Develop parking and traffic control plans **to promote public access to the coast** for those neighborhoods that are adversely impacted by spill over parking and traffic.
- h) Explore areas where park and ride facilities can be implemented at existing shopping center parking lots where the available parking is under utilized.
- i) Continue to implement the Downtown Master Parking Plan. Monitor the plan on an annual basis, and update when necessary. **Evaluate the impact of downtown parking on coastal access, public transit, and vehicle miles traveled. Updates to the Downtown Master Parking Plan shall be processed as an amendment to the City's Coastal Program and shall not become effective until certified by the California Coastal Commission.**

Land Use Plan Modifications

- j) Continue to implement the City's Zoning Ordinance **to the extent it is not inconsistent with the City's Local Coastal Program** as it pertains to parking requirements.
- k) ~~Continue to allow shared parking, parking assessment districts and off-site parking facilities as feasible and appropriate.~~ **Promote public parking opportunities through the establishment of new or enlarged off-site parking facilities, creation of on-street public parking opportunities, shared parking, and requiring that adequate on-site parking be provided in relation to any development.**
- l) **Enhance public transit to improve public access to the coast and to minimize energy consumption and vehicle miles traveled.**

Direct Access

- l) Provide directional signage for cyclists, pedestrians and autos to guide beach bound traffic.
- m) Annually assess existing access points for maintenance needs. Repair/maintain as needed, or as prioritized per capital improvement program. Acquire new access points where feasible and appropriate through the development review process.
- n) Evaluations for new access points should focus on pedestrian safety.

Transit

- o) Coordinate with the Orange County Transportation Authority to develop a transportation center within the Coastal Zone, if feasible.

I-C 10

Infrastructure Improvements

- a) The City of Huntington Beach shall continue to incorporate and fund necessary public infrastructure and service improvements by the annual Capital Improvements Program (CIP) **consistent with the requirements of the City's Local Coastal Program.**
- b) Allow for the formation of benefit assessment districts and/or undertake municipal bonding programs for the maintenance and construction of water supply and distribution, sewage collection and treatment, street and storm drain systems and facilities.
- c) Solicit funds for an improvement study, and the resulting design, construction, maintenance of the Coastal Zone's infrastructure system.
- d) Construct the Sunset Heights Reservoir, or acceptable alternative(s), in a timely manner to meet the needs of the approved development.
- e) Develop the Southeast Reservoir Complex to ensure proper water storage, and distribution balance and capacity in affected areas of the Coastal Zone.

I-C 11

Policy Coordination

- a) Incorporate the Beach Pier Plaza Master Plan, Trails Master Plan and other Coastal Zone related recreational master plan into the proposed, system wide Parks and Recreation Master Plan.
- b) Coordinate all guidelines and standards within the City of Huntington Beach Coastal Zone to conform to the objectives and criteria outlined in the policies of this element. Update and/or amend the following policies, guidelines, standards and specifications as necessary:
 - 1. Public Works Standard Plans/Specifications (for landscape and tree planting).
 - 2. Master Plan for landscaping of Arterial Street Medians.
 - 3. Arboricultural and landscape Standards/Specifications.
 - 4. Downtown Design Guidelines.
 - 5. Downtown Specific Plan.

I-C 12

Interagency Coordination

- a) The City of Huntington Beach will continue to coordinate with the following agencies to ensure Coastal Element implementation and Coastal Resource preservation and enhancement:
 - 1. Surrounding jurisdictions, especially Seal Beach to the North and Newport Beach to the south, to ensure land use compatibility and proper interface of streets and traffic.
 - 2. California Coastal Commission.
 - 3. State of California for the operation and maintenance of state beaches and Pacific Coast Highway.
 - 4. Jurisdictions responsible for, or involved with the provision of services, infrastructure and/or utilities with the Coastal Zone.
 - 5. The County of Orange
 - 6. The California State Lands Commission
- b) Continue to work with adjacent cities to ensure that their traffic impacts do not adversely impact Huntington Beach.
- c) Coordinate with the Coast Guard and the local oil spill companies to ensure prompt and thorough clean up of oil spills.
- d) Coordinate with the State Department of Parks and Recreation to permit year round camping at the State beaches.
- e) Coordinate with the California Coastal Conservancy to review coastal resource issues in Huntington Beach and develop and implement cooperative preservation, development and/or enhancement measures.
- f) Consult with the California Department of Fish and Game and United States Fish and Wildlife Service on any project that could affect a species that is listed or in fact rare, threatened or endangered.
- g) Actively encourage and pursue the following:
 - 1. The inclusion of all identified wetlands into a “coastal wetland preserve.”
 - 2. The linking of any upland development in the Bolsa Chica Local Coastal Plan area to the Bolsa Chica Wetland Restoration Plan.
 - 3. Restoration of the Bolsa Chica wetlands.

Land Use Plan Modifications

4. Development of the proposed Harriet M. Wieder Regional Park.
- h) Coordinate with responsible local, County, State and Federal agencies to establish development compliance criteria, health hazard safeguards, and necessary on-site monitoring programs to assure mitigation of potential environmental impacts (such as approved access, dust, noise, visual).
 - i) Coordinate with appropriate local, regional, state and federal agencies to ensure that greater than local concerns regarding water, sewer and drainage facilities within the Coastal Zone are addressed.
 - j) Work with the County to facilitate high quality marine safety in Huntington Beach.
 - k) The City will coordinate with the Orange County Coalition of Cities and support lobbying efforts opposing offshore oil drilling and the creation of protected habitat sanctuaries along the Orange County coastline.
 - l) The City Fire Department will coordinate with the Community Services Department, the Emergency Operations Center (EOC) and appropriate State and Federal agencies in preparing and maintaining oil spill contingency plans.
 - m) Continue to coordinate with Federal, State, County, and local safety agencies to facilitate a high level of cooperation in responding to emergencies such as oil spills, search and rescue or swiftwater response.
 - n) Coordinate with the Orange County Sanitation District in identifying infrastructure requiring maintenance and/or replacement and schedule repairs.
 - o) Coordinate with interested local, state and federal agencies, as well as, responsible property owners to ensure the remediation of the NESI (Ascon) site.

I-C 13

Annexation Feasibility

- a) Consider adopting a policy statement or resolution to guide decision making when evaluating annexation proposals in the Coastal Zone. The following issue areas should be addressed:
 - f. Is the area to be annexed adjacent to existing corporate boundaries?
 - g. Does/will the area to be annexed contain land uses that are compatible with City land uses?
 - h. Does/will the area to be annexed contain land uses that have the ability to provide economic benefit to the City?
 - i. Would the area to be annexed place an undue or excessive burden on the City's or other service provider's ability to provide services?

Land Use Plan Modifications

- j. Would the area to be annexed place an undue burden on school and other public services?

I-C 14

Scenic Highways

- a) Continue to pursue the removal of billboards along Pacific Coast Highway as a condition of approval for new or re-development, and continue to remedy problems or hindrances that prohibit Pacific Coast Highway from qualifying as a State Scenic Highway.
- b) Create a Scenic Highway Plan **consistent with the City's Local Coastal Program** that includes newly designed highways and corridors; design standards and concepts for each of the designated scenic highways, including Pacific Coast Highway within the Coastal Zone.
- c) Landscape installation responsibilities should be coordinated among the City, Caltrans and other affected property owners for parkways, medians, and entry landscaping. These responsibilities, as well as, long-term maintenance shall be assigned within the Scenic Highway Plan.
- d) The following shall apply for proposed development along designated scenic highways, including Pacific Coast Highway within the Coastal Zone:
 - 1. Through the design review process, require view shed analysis evaluating the impacts on public views to the ocean.
 - 2. Require that open space easements be dedicated to the City, master homeowners association, or other responsible party as a condition of approval for all new projects proposed in "natural" open space areas.
- e) Utilize the City's Design Review Board to evaluate developments within scenic and landscape corridors. Proposed developments shall be analyzed by criteria established in the Scenic Highway Plan, as well as, other relevant City standards and guidelines **to the extent that they are not inconsistent with the City's Local Coastal Program.**

Land Use Plan Modifications

I-C 15

Beach Area Preservation and Enhancement

- a) Identify the beach areas that are not conducive to recreational development (those facilities permitted by the Open Space-Shoreline/OS-S land use designation listed in Table C-1 herein) and protect them.
- b) Permit recreational development only in those beach areas identified as being conducive to such development without risk of negatively impacting coastal resources.
- c) Annually report on the City's coastal conditions utilizing studies such as the Coast of California Storm and Tidal Wave Study, coastal erosion and public safety hazards due to the natural removal of sand.

I-C 16

Marine Safety

- a) Marine Safety needs shall be seasonally reported every three years, identifying necessary changes in staffing and facilities to maintain public safety.
- b) Marine Safety Officers shall monitor, on a daily basis, through weather service information and department estimates, the beach's population, weather and surf conditions for the purpose of locating public lifeguard needs.
- c) Require competitive recruitment and intensive training in the latest life-saving techniques.
- d) Continue the exchange program with Australian and New Zealand lifesavers to help ensure the use of state-of-the-art rescue techniques and management procedures.
- e) Continue annual testing consisting of written and physical exams to re-qualify City lifeguards.
- f) Continue the existing Junior Lifeguard Program to educate youth about ocean hazards and instruct them in basic lifesaving techniques.

I-C 17

Funding

- a) Adequate development, maintenance, and operation funding shall be a prerequisite to developing additional public recreational facilities in the Coastal Zone.
- b) Solicit other corporate funding programs to fund and sponsor maintenance and other volunteer programs at recreational facilities.
- c) Actively pursue available local, state, federal or private funds for needed infrastructure improvement.

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- d) Allow for the formation of benefit assessment districts and/or undertake municipal bonding programs for the supply and distribution, sewage collection and treatment, street and storm drain systems and facilities.

I-C 18

Public Facilities and Services Element

Implement the programs and policies contained in the Public Facilities and Services Element of the General Plan **to the extent that these programs and policies are not inconsistent with the City's Local Coastal Program.**

I-C 19

Historic and Cultural Resources Element

Implement the policies and programs of the Historic and Cultural Resources Element as applicable to the Coastal Zone Plan **to the extent that these programs and policies are not inconsistent with the City's Local Coastal Program.**

I-C 20

Environmental Hazards Element

Enforce and implement the policies and programs of the Environmental Hazards Element of the General Plan **to the extent that these programs and policies are not inconsistent with the City's Local Coastal Program.**

I-C 21

Growth Management Element

Implement the Growth Management Element **to the extent that it is not inconsistent with the City's Local Coastal Program.**

I-C 22

Special Studies/Plans/Programs

- a) **Streetscape Improvement Plan** Prepare a comprehensive streetscape improvement plan **consistent with the City's Local Coastal Program** for the Coastal Zone specifying all potential improvements projects within the public rights-of-way, including design concepts and design criteria for median and parkway landscape, **bus stops**, sidewalk elements including street furniture, and public signage, including gateway entry identification signage.

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- b) **Educational Facilities Consistent with the City's Local Coastal Program establish**
Consider establishing interpretive, historical and environmental education facilities, as well as, programs utilizing various natural and/or cultural (e.g., wetland areas or culturally significant sites) resources found in the Coastal Zone.
- c) **Marine Safety Services Assessment** Conduct a study to review the adequacy of all beach lifeguard and rescue services. Develop programs to remedy any deficiencies determined to exist in personnel training and equipment.
- d) **Recreational Circulation Study** Conduct a City-wide recreational circulation study and incorporate into the Parks and Recreation Master Plan. This would combine the aims of the State Trails Plan, the County Trails and Bikeway Plan, the Local Coastal Program (Coastal Access), and the Circulation Element of the General Plan into a unified and coordinated trails plan for Huntington Beach. Issues such as implementation strategy, funding and the establishment of design criteria and maintenance responsibilities **consistent with the City's Local Coastal Program** should be included in the plan.
- e) **Coastal Amenities Study and CIP Consistent with the City's Local Coastal Program implement** Conduct a park and recreational facilities renovation study to determine each site's maintenance and renovation needs, including Federal and State laws such as American's with Disabilities Act accessibility standards. Develop a prioritization and phasing program, and establish a capital improvements program.
- f) **Urban Design Improvement Plan**
 - 1. The City shall prepare a master list of public urban design improvements, such list to be revised and extended as projects are completed or new projects are conceived.
 - 2. In coordination the preparation of the City budget, the City shall each year prepare a Five Year Plan for Urban Design Improvements that prioritizes the projects on the master list, and shall budget for those projects accordingly. The Five Year Plan shall be updated each year to reflect changes in the priorities for implementation.
- g) **Comprehensive Signage and Graphics Program** Prepare a comprehensive Citywide program **consistent with the City's Local Coastal Program** for the design and installation of signage and graphics that identifies standards for high quality and character for all public graphics (including identification and directional signage) and that integrates standards for private signs.
- h) **Utility Undergrounding** Continue to expand the electrical transmission line undergrounding program.
- i) **Historic Site Survey** Perform a Coastal Zone wide survey that updates the list of structures or sites identified as having historical or archeological significance.
- j) **Year Round Camping at City Beach** Study the feasibility of permitting year round camping at the City Beach.

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- k) **Infrastructure Improvement Programs** Develop and implement the following, as funding permits **consistent with the requirements of the City's Local Coastal Program:**
1. A "maintenance" program for necessary water reservoir repairs. The maintenance program shall discuss prioritization, funding, responsible departments and scheduling.
 2. A program for water, wastewater and storm drain and pipeline repairs, upsizing and replacements **including provisions for automatic leak detection and clean-up, and the installation of structural and non-structural best management practices to minimize the introduction of pollutants into coastal waters.**
 3. Continue to expand the following programs:
 - Public education promoting water conservation.
 - Water use audits for all City owned buildings.
 - The Green Acres and other reclaimed water programs.
- l) **Utility Master Plans** Collect and maintain data on the location, capacity, levels of utilization and conditions of the following utilities in the Coastal Zone; develop and implement appropriate master plans and/or capital improvement programs **consistent with the City's Local Coastal Program.** Review the master plans and improvement programs every five years to ensure viability:
1. Wastewater collection and treatment facilities.
 2. Water supply, transmission, distribution, storage, and treatment facilities.
 3. Storm drain and flood control facilities.
4. **Wireless telecommunication facilities.**
- m) **Document Public Access in Huntington Harbour** Assemble and make available to the public the documentation necessary to identify the public rights-of-way within Huntington Harbour including applicable deed restrictions for private property. **Public accessways shall be kept open for public access and impediments to public access shall be removed. Assemble a list of locations suitable for both lateral and vertical public access. This list shall prioritize the access opportunities and shall also identify if the acquisition will be through a fee purchase or through an open space easement.**
- n) **Desalinization Feasibility Studies** Coordinate with interested agencies to study desalinization as an alternative source of potable water.
- o) **Energy Agency Catalogue** Prepare and maintain an up to date catalogue identifying the outside agencies with control or influence over energy issues. Include in the catalogue a definition of the agency's role, authority and responsibilities, as well as a contact person or office.

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- p) ***Oil Facility Catalogue*** Prepare and maintain an up to date catalogue and map of oil well and ancillary facility locations in the City. Include active, inactive and abandoned sites
- q) ***Oil Spill Contingency Plans*** Maintain an up to date catalogue of oil spill contingency plans for all active oil facilities on land and off of the City's shoreline. Annually review these plans ***for conformance to the City's Local Coastal Program and*** to ensure adequacy and proper inter-agency coordination in the event of an oil spill.

R. GLOSSARY

ACCESS	Permission, liberty or ability to enter, approach or make use of a place or facility.
ACQUATIC ECOSYSTEM	An area where organisms grow or live in the water and interact with each other.
AERATION	Process in which air is circulated through water to increase the amount of dissolved oxygen.
AMENITIES	Attractive or desirable features
ANCILLARY	Supplementary, adding or making more complete.
AQUACULTURE	The cultivation of aquatic <u>aquatic</u> plant and animal species.
BAFFLE	A plate, wall, screen or other device, which can be installed in a storm drain to catch floating debris.
BARRIER WELLS PROJECT	The injection and extraction of water through wells to control sea water intrusion.
BERTH	To anchor or tie up boats.
BIOLOGICAL QUALITY	The ability of an area to support living organisms.
BOARDWALK	A wooden walkway on raised pilings.
<u>BLUFF EDGE</u>	<u>The upper termination of a bluff, cliff, or seacliff. When the top edge of the bluff is rounded away from the face of the bluff as a result of erosional processes related to the presence of the steep bluff face, the edge shall be defined as the point nearest the bluff beyond which the downward gradient of the land surface increases more or less continuously until it reaches the general gradient of the bluff. In the case where there is a step like feature at the top of the bluff face, the landward edge of the topmost riser shall be taken to the bluff edge.</u>
BUFFER	Any of various devices (land, fencing, vegetation) that serve to separate adjacent land uses in order to lessen any adverse impacts of

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~~one land use on another.~~

Open space that horizontally separates and protects environmentally sensitive habitat areas from development areas. Buffer areas should be contiguous with the sensitive habitat but are not in themselves a part of the environmentally sensitive habitat area to be protected. A typical buffer standard width is 100 feet, but this width may vary depending on the species and habitat to be protected. Buffers may contain limited trail usage and other non-substantial structures such as interpretive signage that serve to reduce the impact of human activities on wildlife. Public trails should not be constructed where construction could have significant adverse effects on the environment or where public access could have a significant adverse impacts on habitat.

BULK	Spatial dimension, height and width
BULKHEAD	A retaining wall along a waterfront; a wall or embankment for holding back earth to crate water channels.
CALIFORNIA COASTAL ACT	State law (California Public Resources Code, Division 20) enacted by the legislature in 1976 establishing policies for coastal protection and development to be implemented through cooperative action by state and local governments.
CALIFORNIA COASTAL COMMISSION	A 16 member statewide regulatory body with primary responsibility for implementing the provisions of the California Coastal Act. The Commission will remain in existence after the certification of local plans to hear appeals from permit decisions and to perform other administrative functions. All local coastal programs must be approved and certified by the commission prior to implementation.
CALIFORNIA LEAST TERN	An endangered bird species (<u>Sterna antillarum browni</u>) that is native to the coast of southern California. <u>Inhabits sandy beaches with bare or sparsely vegetated flat substrates. Usually associated with river mouths or estuaries.</u>
CLUSTER	Groupings of buildings to maximize open space and

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preserve views.

COASTAL DEPENDENT **Any development or use which requires a site on, or adjacent to, the sea to be able to function at all.**

COASTAL ELEMENT That portion of the general plan applicable to the coastal zone prepared by the local government according to the provisions of the coastal act.

COASTAL LAND USE PLAN The relevant portions of the coastal element which are sufficiently detailed to indicate the kinds, location and intensity of land uses and the applicable resource protection and development policies.

COASTAL WATERS **Includes waters of the Pacific Ocean, streams wetlands, estuaries, lakes, and other areas subject to tidal action through any connection with the Pacific Ocean.**

COASTAL ZONE Land and water area along the coast of California that is subject to the provisions of the coastal act. The coastal zone extends inland generally 1,000 yards from the mean high tide line of the sea. In significant coastal resource areas, it extends inland to the first major ridgeline paralleling the sea or five miles from the mean high tide line, whichever is less. In developed urban areas, the zone generally extends inland less than 1,000 yards. In this element the term "coastal zone" refers only to that portion of the state's coastal zone which lies within the City of Huntington Beach.

COMMUNITY FACILITIES Structures or systems that are built, installed or established to serve the community.

CONCESSION The lease of a portion of premise for a particular purpose such as the operation of a refreshment stand on a public beach.

CONCESSION STAND A small-scale, one story structure used for sales of refreshments and beach-related sundries.

CONSERVATION Planned management of a natural resource to prevent exploitation, destruction or neglect.

CONSOLIDATE To join together into one common whole: e.g., Parcels of land under one ownership.

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CONTINGENCY PLANNING

Planning for events that are of possible but uncertain occurrence.

CULVERT

A drain or pipe to carry water under a road or embankment.

DEGRADED

Visually ~~unattractive~~ **unattractive**, often due to the presence of incompatible features (i.e., Oil wells, litter, billboards, etc.) **Also pertains to environmentally sensitive habitat that has been subjected to developmental impacts that have reduced its habitat value and/or ecological function.**

DEVELOPMENT

Pursuant to Section 30106 of the Coastal Act, "development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).

As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line

DIKE

An embankment or low dividing wall of earth or stone used to control and confine water.

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DISPERSED OWNERSHIP	Term used to describe an area in which individual lots are owned by different people.
DREDGE	To dig or deepen a waterway.
DRY STORAGE	Storage of boats on land either at place of residence or in specially designated areas.
<u>DWELLING, ACCESSORY UNIT</u>	<u>A fully equipped dwelling unit which is ancillary and subordinate to a principal dwelling unit located on the same lot.</u>
EASEMENT	Right created by an express or implied agreement <u>agreement</u> to make lawful and beneficial use of the land, water or air space of another owner.
ECOLOGICAL RESERVE	Officially determined area being preserved for its environmental value.
ECOSYSTEM	<u>A co-evolved community of interdependent plants and animals specific to a particular physical environment.</u> The complex of a community and its environment functioning as a unit in nature.
EFFLUENT	Waste material such as smoke, liquid industrial refuse, or sewage discharged into the environment.
ENHANCE	To increase in value and attractiveness
ENTRAIN	To draw in and transport through the flow of a fluid.
<u>ENVIRONMENTALLY SENSITIVE HABITAT</u>	<u>Any area in which plant or animal life or their habitats are rare or especially valuable and which could be easily disturbed or degraded by human activities and developments.</u>
<u>FEASIBLE</u>	<u>Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.</u>
FILL	Any earth or any other substance or material placed in a submerged area.
FLOOD FREQUENCY	The expected time interval expected between floods of a certain magnitude.
<u>GRANNY UNIT</u>	<u>See Dwelling, Accessory Unit</u>

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GRANTSPERSON	Person employed to seek out sources of state and federal funding for local projects.
GREENBELT	Area designated for open space or parks, where urban development is prohibited.
GROUNDWATER	Fresh water within the earth that supplies wells and springs.
HAZARDS	Chance events in nature that can pose a danger to life and property, such as earthquakes, floods and fires.
<u>HISTORIC DISTRICT</u>	<u>A geographic area which contains a concentration of historic buildings, structures, or sites united historically, culturally, or architecturally. "Historic Districts" are defined by precise geographic boundaries.</u>
<u>HISTORIC RESOURCE</u>	<u>Any object, building, structure, site, area, place, record, or manuscript which is historically or archeologically significant, or which is significant in the architectural, engineering, scientific, economic, agriculture, educational, social, political, military, or cultural history of the City of Huntington Beach and/or California.</u>
<u>HISTORIC STRUCTURE (BUILDING)</u>	<u>SEE HISTORIC RESOURCE</u>
IMPEDE	Obstruct or block by obstacles.
IMPLEMENTATION	Those actions necessary to fulfill the goals, objectives and policies of a plan.
IMPLEMENTATION MEASURE	A plan, program or action intended to fulfill the directive of a stated policy.
INDICATOR SPECIES	<u>A species whose dynamics and well being are indicative of the ecological health of the community in which it lives.</u> Species which are representative <u>representative</u> of a specific area or habitat.
INFILTRATION	Downward movement of water into soil or other porous material.

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INVENTORY	An itemized list of current assets: e.g., A catalogue of all commercial establishments within the city's coastal zone.
LAND USE CATEGORY	A division within the system of land use classification used in the city's general plan.
<u>LAND USE PLAN</u>	<u>As defined in Coastal Act §30108.5: the portion of the City's general plan applicable to the coastal zone.</u>
LEVEE	An embankment built alongside a river to prevent high water from flooding adjacent land.
LINEAR PARK	A long, narrow park which often follows a natural land form, such as a stream or a bluff line, and which may also connect other recreational and scenic areas.
LOCAL COASTAL PROGRAM	<u>LCP—a local government's land use plans, zoning ordinances and maps, and implementing actions which, when taken together, meet the requirements and implement the provisions and policies of the coastal act at the local level.</u> <u>As defined in Coastal Act §30108.6: a local government's land use plans, zoning ordinances, zoning district maps, and other implementing actions, which taken together, meet the requirements of, and implement the provisions and policies of the Coastal Act at the local level.</u>
MARINA	A dock or basin providing secure moorings for motorboats and yachts and often offering supply, repair and other facilities.
<u>MARKET VALUE</u>	<u>For purposes of determining "substantial improvement", the replacement cost as determined by its replacement value according to the valuation figures used by the Director. Alternatively, a property owner may submit a report by a qualified real estate appraiser which indicates the "replacement cost" of the structure.</u>
MARSHLAND	See wetland
MEDIAN	A strip of land between opposing lanes of a highway.
<u>MITIGATION</u>	<u>As defined in §15370 of the State Guidelines for Implementation of the California Environmental</u>

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Quality Act, mitigation includes:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.**
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.**
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.**
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.**
- (e) Compensating for the impact by replacing or providing substitute resources or environments.**

MITIGATION MEASURE	<p>A program or facility that controls or lessens the severity of adverse impacts.</p> <p><u>Measures imposed on a project consistent with §15370 of the State Guidelines for Implementation of the California Environmental Quality Act to avoid, minimize, eliminate, or compensate for adverse impacts to the environment.</u></p>
NODE	<p>A significant focal point in an urban environment, such as a public square or street intersection, that is a center or junction of movement and activity.</p>
OFFSHORE PLATFORMS	<p>Platforms where oil is extracted from strata beneath the ocean floor.</p>
OVERLAY	<p>A supplemental map presenting additional information.</p>
PATHOGENIC PEAK LOAD	<p>Causing or capable of causing disease. The maximum demand placed on the operating resources of a community facility.</p>
PERIMETER	<p>A line or strip bounding an area.</p>
PERIPHERAL	<p>Located away from the central portion of an area.</p>
PERMANENT WETLAND	<p>Areas that are permanently wet or covered by shallow water, such as saltwater and freshwater marshes, open or closed brackish marshes, mud flats and fens.</p>

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POLICY	A statement or directive for private and/or governmental action to achieve adopted goals and objectives.
POLLUTANT	Anything that contaminates a medium (air, water or soil) with some form of undesirable matter or energy.
PREEMPT	To take jurisdiction away from an existing agency or entity.
PRESERVE	To keep from harm; to protect or save.
RIPARIAN HABITAT	The land and plants bordering a watercourse or lake.
RUDERAL	A disturbed area dominated by weedy, typically annual, non-native plant species.
RUNOFF	Water from rain that flows over the surface of the land and ultimately reaches flood control channels or the ocean.
SALTWATER INTRUSION	Situation in which the ocean <u>water</u> comes in contact with and contaminates fresh water <u>both above and below ground.</u>
SCENIC	<u>Visually appealing and attractive landscape.</u> Affording picturesque views.
<u>SEA</u>	<u>Consistent with Section 30115 of the Coastal Act, "Sea" means the Pacific Ocean and all harbors, bays, channels, estuaries, salt marshes, sloughs, and other areas subject to tidal action through any connection with the Pacific Ocean, excluding non-estuarine rivers, streams, tributaries, creeks, and flood control and drainage channels.</u>
SEISMIC-SAFETY ORDINANCE	Ordinance passed by the Huntington Beach City council in July, 1979, as amended, requiring that existing buildings which cannot sufficiently withstand earthquake action be corrected to eliminate hazards.
SETBACK	Placement of buildings a distance back from a road or other boundary to allow for open space, views, and mitigation of adverse impacts on adjacent areas. <u>(Also see buffer)</u>
SETBACK	Placement of buildings a distance back from a road or other boundary to allow for open space, views, and mitigation of adverse impacts on adjacent areas.

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SIGNING	The construction and utilization of signs to locate various points of interest.
SILT	Loose, sedimentary material, dirt or soil in which most of the particles are extremely small (1/20 millimeter <u>millimeter</u> or less).
SITE PLAN REVIEW	Process by which proposed new development projects are reviewed by city staff for conformance with city ordinances and codes.
SPECIFIC PLAN	<p>A document that contains all detailed regulations, conditions, programs and proposed legislation necessary to implement general plan policies in a distinct geographical area. Specific Plans may supplement or supersede zoning.</p> <p><u>Amendments to Specific Plans in the coastal zone will be submitted to the California Coastal Commission as an amendment to the City's certified local coastal program and will not become effective until certified by the Coastal Commission.</u></p>
STATE SCENIC HIGHWAY	A segment of a state highway identified in the "master plan of state highway eligible for official scenic highway designation". The segment must also be designated as such by the director of the state department of transportation.
STRUCTURAL SURVEY	An investigation by a qualified engineer of a structure's ability to withstand certain physical factors such as an earthquake.
<u>SUBSTANTIAL DAMAGE</u>	<u>Damage of any origin sustained by a structure whereby the cost of restoring the structure to the condition existing before damage would equal or exceed fifty (50%) of the market value before the damage occurred.</u>
<u>SUBSTANTIAL IMPROVEMENT</u>	<u>Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50%) percent of the market value of the structure before such repair, reconstruction, or improvement. This term includes structures that have incurred "substantial damage" regardless of the actual repair work performed.</u>

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<u>SUMMER SEASON</u>	<u><i>Begins the day before the Memorial Day weekend and ends the day after the Labor Day weekend.</i></u>
<u>SURFACE WATER</u>	<u><i>See Coastal Waters.</i></u>
TERMINUS	Either end of a transportation line or travel route.
TERRESTRIAL	Having to do with the land or earth, as opposed to air or water.
THERMAL DISCHARGE	The release of hot water from industrial cooling or processing operations or from electrical power production.
TIDAL FLUSHING	A process in which normal tidal action results in continual exchange of ocean water within a wetland.
TOPOGRAPHY	The natural surface features of an area, such as hills, valleys and rivers.
TRANSPORTATION CENTER	A passenger and community oriented facility strategicaly <u>strategically</u> located where transit services converge.
TURBIDITY	A state of reduced clarity in a fluid caused by the presence of suspended matter.
UNDERGROUNDING	Relocation of utility wires from above ground to beneath the surface of the earth to enhance scenic quality.
VISITOR SERVING FACILITIES	Public and private developments that provide accommodations, food and services, including hotels, motels, timeshares, campgrounds, restaurants, shops and amusement areas for tourists.
VISTA	A view or outlook.
VISUAL ACCESS	An unobstructed view.
WASTEWATER RECLAMATION	A process of purifying and recycling domestic and industrial wastewater.
<u>WETLAND</u>	<u><i>Land which may be covered periodically or permanently with shallow water and includes saltwater marshes, freshwater marshes, open or closed brackish water marshes, mudflats, and fens. Wetlands are lands transitional between terrestrial and aquatic systems where the water</i></u>

table is usually at or near the surface or the land is covered by shallow water. For purposes of this classification², wetlands must have one or more of the following attributes:

- 1. At least periodically, the land supports predominantly hydrophytes; or*
- 2. The substrate is predominantly undrained hydric soil; or*
- 3. The substrate is non-soil and is saturated with water or covered by shallow water at some time during the growing season of each year.*

WET STORAGE

Storage of boats in the water, usually in a boat slip at a marina.

VII. FINDINGS FOR DENIAL OF THE CITY OF HUNTINGTON BEACH'S LAND USE PLAN AMENDMENT, AND APPROVAL WITH MODIFICATIONS

The Commission hereby finds and declares as follows. The following pages contain the specific findings for denial of the City of Huntington Beach Land Use Plan Amendment, as submitted, and approval with modifications.

A. LAND USE DESIGNATIONS

1. AMENDMENT TOPIC

This portion of the Coastal Element classifies the various land uses for defining allowed development within the Coastal Zone. This section of the Coastal Element is implemented through land use maps which have been attached as Exhibit 2 of this staff report. The City's proposed land use categories can be divided into six broad categories: Residential, Commercial, Mixed-Use, Industrial, Park/Open Space/Conservation, and Public. Each of these land use designations is further divided into more specific types of development. For example, residential land use districts are divided into Low Density (RL), Medium Density (RM), Medium High (RMH), and High Density (RH). Additionally, the City has proposed six overlay districts to allow for Specific Plans, historic preservation, pedestrian districts, mixed use, special design standers, and increased mobile home densities.

²

"Classification of Wetlands and Deep-Water habitats of the United States" by Lewis M. Cowardin, et al, United States Department of the Interior, Fish and Wildlife Service, December 1979.

2. APPLICABLE COASTAL ACT POLICIES

Section 30512 of the Coastal Act requires that that a Land Use Plan, including a land use map, be submitted as part of a Local Coastal Program. Though, this submission is actually an amendment, it is a total replacement of the City's current coastal land use plan. Consequently, the City has submitted a new land use plan map. Section 30108.5 of the Coastal Act defines the term "*Land Use Plan*". Land use plans, based on this definition, must be sufficiently detailed to indicate the kinds, location, and intensity of land uses. Therefore, the newly submitted land use plan map must be sufficiently detailed to indicate the kinds, location, and intensity of land uses. Furthermore, Section 13519 of the California Code of Regulations requires that the submission must be sufficiently detailed to allow the plan to be reviewed for conformance with the requirements of the Coastal Act.

3. COASTAL ACT CONSISTENCY

Fundamental to any land use plan is a land use map supported by narrative, which defines where the various land uses such as residential, park, open space, industrial, and commercial development are to take place. Furthermore, the narrative supporting each of the various land uses designations on the land use map must be sufficiently specific to define the range of development that is allowed, to provide guidance over the type of development that can be allowed through discretionary approvals, and to define what is not allowed.

As submitted, the Land Use Designation Section of the City's Coastal Element lacks the necessary specificity for providing guidance on what is to be allowed in each land use category. For example, residential development is divided into four subcategories, Residential Low (RL), Residential Medium (RM), Residential Medium High (RMH), and Residential High (RH). Critical to distinguishing these four subcategories from each other are the number of residential units that could be allowed under each category per gross acre. The Coastal Element, as submitted did not contain any standards defining how many residential units per acre can be built under each of these subcategories. The 1985 Coastal Element did contain density standards for each subcategory.

Another example of a deficiency in specifying standards relates to the Commercial Visitor (CV) designation. Under this designation hotels, restaurants, and retail uses would be allowed. Though these uses are visitor-serving uses, the City's Zoning Code would also allow certain non-visitor serving uses such as offices. If not properly regulated, non-visitor serving uses could end-up being the primary form of development under the Commercial Visitor (CV) designation, as submitted. Consequently, as submitted, the standards of the Commercial Visitor (CV) designation do not assure full conformance

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with Sections 30222 and 30255 of the Coastal Act, which place higher priority on visitor serving and coastal dependent uses over general commercial development.

Finally, the Coastal Element, as submitted, proposes three types of mixed-use development. Mixed-use development, in itself is not an inappropriate form of development since it allows for a variety of uses to be integrated into one overall plan. For example conventional zoning may be inadequate to implement designs which encourage alternate forms of transportation and pedestrian orientated development that would lessen adverse impacts on the environment resulting from automobile-oriented land use patterns of development. The policies of the mixed use development acknowledge that the exact density, location, and mix of uses will be determined when development is proposed to allow greater design flexibility and to address the uniqueness of a particular area. Language to this effect, however, does not potentially conform to a variety of Coastal Act policies such as Sections 30222 and 30255, as there is no mandate in the Land Use Section of the Coastal Element that visitor serving or coastal dependent development be given priority in the Coastal Zone. Though the mixed-use designation fails to promote visitor serving opportunities in conformance with the Coastal Act, the Commission notes that visitor serving opportunities may not be appropriate in all cases, such as an inland mixed-use development (see Page 177). Moreover, the Mixed Use (M) designation would allow "*single uses*" which is contrary to the intent of this designation which is to allow for a variety of land uses integrated through a Specific Plan. One of the "*single uses*" identified in the Coastal Element, as submitted, is residential development which is a lower priority than visitor serving types of development.

For the reasons stated above the Land Use Designations Section of the Coastal Element, as submitted, is not in conformance with nor is it adequate to carry out the Coastal Act and must be denied as submitted. However, if modified through suggested modifications to address the identified deficiencies, the Land Use Designations Section of the Coastal Element, as submitted, can be brought into conformance with the Coastal Act.

To bring the residential component into conformance with the requirements of the Coastal Act, density standards have been added. For example, Residential Low (RL) has been defined as allowing up to seven dwelling units per gross acre. Other revisions to the residential component include adding other uses that may be permitted such as day care, residential treatment facilities, parks, and public facilities as allowed uses. Temporary uses such as commercial filming, real estate sales, and personal property sales have also been specified as permissible activities.

To bring the Commercial component into conformance with the requirements of the Coastal Act, the Commercial Visitor (CV) has been modified to specify, consistent with Sections 30222 and 30255 that marine related development shall have priority, and that the ground floor and at least one third of the total floor area will be devoted to visitor serving uses. The addition of the ground floor requirement was a requirement of the

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1985 Coastal Element. Additionally, a suggested modification was made to the Commercial Neighborhood (CN) component to state that the standards of the General Commercial District (CG) will be used as the City's Zoning Code does not have standards for the Commercial Neighborhood (CN) district. Exhibit 4 is a letter from the City stating that the Zoning Code through the General Commercial District (CG) implements the Commercial Neighborhood (CN) district.

To bring the Mixed Use component into conformance with the requirements of the Coastal Act several suggested modifications have been made. The principal suggested modification is that any Mixed Use development be undertaken through a Specific Plan that is to be submitted to the Commission as an LCP amendment and certified by the Commission before it can become effective. Additional suggested modifications add text, which promotes visitor-serving development and deletes text, which could allow single uses, especially low priority residential development.

The Commission recognizes that mixed-use development can be very beneficial, however, it needs to be properly planned. For example, mixed-use development occurring near ocean recreation areas should promote visitor serving and coastal dependent activities consistent with the Coastal Act mandates. However, inland mixed-use development may not need to promote visitor serving or coastal dependent uses. Evaluating the necessity of conforming mixed use development with the Coastal Act can accordingly be accomplished through the use of Specific Plans which are processed as LCP amendments. Thus, as modified, the Commission can allow mixed-use development where the exact density, location, and mix of uses are not known at this time.

To bring the Industrial (I) land use designation into conformance with the Coastal Act, a suggested modification has been made. Section 30255 establishes that coastal dependent developments will have priority over other developments on or near the shoreline. Sections 30260 through 30264 of the Coastal Act also allow industrial and resource production activities. To clarify that energy production and resource production are allowed, and that marine and coastal dependent developments are priority uses; these uses have been added to the Industrial (I) land use designation.

To bring the Open Space, Conservation, Recreation component designation into conformance with the Coastal Act, several suggested modifications have been made. In summary, the suggested modifications clarify that development in these areas should be sited and designed to avoid impacts to wetlands, environmentally sensitive habitat, and to minimize encroachments onto sandy beach. Supplementary suggested modifications clarify the types of development and uses allowed. For example, the Parks (OS-P) has been modified to state that low intensity activities such as picnic areas and nature trails and ancillary facilities such as parking are allowed.

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To bring the Overlays component designation into conformance with the Coastal Act, several suggested modification has been made. The major suggested modifications clarify that any Specific Plan in the Coastal Zone must be submitted to the Coastal Commission as an amendment to the City's certified local coastal program and will not become effective until certified by the Commission. As discussed earlier, mixed-use development allows for a variety of uses and if not properly planned opportunities for promoting visitor serving and coastal dependent development may be lost. Supplementary suggested modifications clarify that re-use of historic structures and the implementation of special design district must be in conformance with the standards of the City's LCP. As submitted, the language pertaining to either the re-use of historic structures or design standards could have allowed for development inconsistent with this LCP.

Finally, the mixed-use (MU) overlay has been deleted. The Coastal Element contains three mixed-use land classifications which have been modified to require that mixed use developments be processed as Specific Plans. The mixed use (MU) overlay is consequently redundant

Therefore, as modified through the suggested modifications, the Commission finds that the Land Use Designations Section of the Coastal Element is in conformance with and adequate to carry out Sections 30512, 30222, and 30255 of the Coastal Act.

B. LAND USE POLICIES

1. AMENDMENT TOPIC

This section of the Coastal Element contains generalized land use policies that are designed to promote public access, to balance development with associated infrastructure, and to minimize adverse impacts to coastal resources. This section also establishes that visitor serving commercial uses have priority over residential, general industrial, or general commercial development, but not over agricultural or coastal dependent industrial development. Policies pertaining to specific topics such as visual resources, water quality, and development in hazardous areas follows this section.

2. APPLICABLE COASTAL ACT POLICIES

This section of the Coastal Element contains introductory and generalized land use policies that promote coastal access and resource protection. Applicable Coastal Act Policies include Sections 30210, 30211, 30222, 30250, 30252, 30253, and 30255. Section 30210 of the Coastal Act mandates that public access opportunities be maximized consistent with public safety needs, the rights of private property owners, and

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the protection of natural resources. Section 30211 states that development not interfere with the public's right of access. Section 30222 requires that private lands suitable for visitor-serving commercial recreational uses designed to enhance public opportunities for coastal recreation will have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry. Section 30250 requires that new development will be located in close proximity to existing developed areas able to accommodate it and if located in other areas that it be sited and designed so that it will not have significant adverse effects, either individually or cumulatively, on coastal resources. Section 30252 states that the location and amount of new development should maintain and enhance public access to the coast by facilitating transit, locating and designing development to encourage less car use and traffic on coastal access roads, and providing adequate parking or substitute public transportation. Section 30253 requires that new development be sited and designed to minimize risks life and property in areas possessing high geologic, flood, and fire hazard potential. Additionally, this section requires that new development assure structural stability and neither create nor contribute significantly to erosion, geologic stability, or destruction of the site or surrounding areas. Section 30253, furthermore, requires development to minimize energy consumption and vehicle miles traveled. Section 30255 mandates that coastal dependent development has priority over other developments on or near the shoreline.

3. COASTAL ACT CONSISTENCY

The Land Use Policies Section of the Coastal Element is essentially introductory and contains policies, which are broader in scope than subsequent policies, such as those related to parking and ESHA protection.

As submitted, the Land Use Policies Section of the Coastal Element lacks reference to Section 30255, which requires that Policies C 1.1.4, and C 1.1.8 be modified. Policies C 1.1.4, and C 1.1.8, as submitted, are incomplete for assuring conformance with Coastal Act policies cited above. Therefore, for the reasons stated, the Land Use Policies Section of the Coastal Element, as submitted, is not in conformance with nor is it adequate to carry out the Coastal Act and must be denied as submitted.

However, if modified through suggested modifications to address the identified deficiencies, the Land Use Policies Section of the Coastal Element can be brought into conformance with the Coastal Act.

The first suggested modification is the inclusion of Section 30255 through the addition of Policy C 1.1.X³ as a new policy in the City's Coastal Element. The addition of Section

³ Policies being added through suggested modifications contain the letter "X" to distinguish them from the City's policies. In the final document these policies will have to be renumbered to conform

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30255 establishes that coastal dependent developments will have priority in the coastal zone.

Policy C 1.1.4 has been modified since it only requires “*consideration*” of certain measure, not that the identified measure actually be used as part of the coastal development permit decision-making process. Policy C 1.1.4 has been modified to require that new development should be sited and designed in such a manner that it maintains and enhances public access to the coast. It has also been modified to require development to facilitate the provision or extension of public transit service. This brings the policy into conformance with Section 30252 of the Coastal Act, which mandates that new development facilitate public access to the coast.

Policy C 1.1.5 relates to the necessity to issue coastal development permits for temporary and seasonal events. As submitted, the Coastal Element does not define temporary events. To address the issue of which temporary events qualify as exemptions and which require coastal development permits; Policy C 1.1.5 has been modified to require conformance with Section 30610(i), which addresses temporary events. Section 30610(i) allows the Commission to develop guidelines for regulating temporary events. The most recently issued temporary events guidelines were adopted by the Commission on May 12, 1993. These guidelines, or any subsequent Commission approved temporary guidelines, will be used by the City under this suggested modification as the basis for utilizing Policy C 1.1.5. A definition for “*temporary event*” has also been added to the Glossary.

Policy C 1.1.8 concerns the interrelationship of new development with hazards. As submitted, this policy is inconsistent with the requirements of Section 30253 of the Coastal Act, which requires that development minimize the risks to life and property and that development not require the construction of protective devices. As submitted, this policy requires that undefined “*measures*” be taken to reduce potential damage from hazards. The nature of these “*measure*” is unstated. As currently worded, the policy would clearly allow protective devices to protect new development without any regard for minimizing adverse effects to the environment that could occur. To minimize the potential that new development would require protective devices at the time it is constructed, Policy C 1.1.8 has been modified to require that development be sited and designed to avoid the potential hazards.

Therefore, as modified through the suggested modifications, the Commission finds that the Land Use Policies Section of the Coastal Element is in conformance with and adequate to carry out Sections 30250, 30252, and 30253 of the Coastal Act.

to the City’s policy numbering format. The reason for using the letter “X” is that it minimizes the need to modify policy numbers which would occur as policies are added and deleted.

C. SHORELINE AND COASTAL RESOURCE ACCESS

1. AMENDMENT TOPIC

This section of the Coastal Element provides policies related to how the overall circulation system for the City should be designed to promote coastal access opportunities. Specifically this section calls for such measures as: signage, replacement parking if Pacific Coast Highway is widened, promoting the City as a visitor-serving destination, improving pedestrian facilities, and providing bike paths.

2. APPLICABLE COASTAL ACT POLICIES

Coastal Act Sections 30210 through 30214 are the predominant policies that will be used to evaluate the conformance of Shoreline and Coastal Resource Access policies with the Coastal Act. Sections 30210 through 30214 of the Coastal Act establish that public coastal access opportunities will be maximized, that development not interfere with public access, that public facilities be distributed throughout the City's coastal zone, that lower cost visitor serving opportunities will be protected and encouraged, and that public access can be regulated in terms of time, place, and manner. Section 30252 of the Coastal Act requires that new development should maintain and enhance public access to the coast.

3. COASTAL ACT CONSISTENCY

The Shoreline and Coastal Resource Access Section of the Coastal Element contain the first set policies that are more specific in nature than the Land Use Policies Section. This section provides policies related to how the overall circulation system for the City should be designed to promote coastal access opportunities. As submitted, the Shoreline and Coastal Resource Access Section of the Coastal Element does not conform with Section 30252 of the Coastal Act. Section 30252 of the Coastal Act states:

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

Policies C 2.1.2 and C 2.2.3 do not conform to Section 30252 of the Coastal Act. For example Policy C 2.1.2, though it states that replacement parking would be replaced on

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a one-to one basis, fails to provide additional standards which would assure that the parking is replaced at the time it is lost and that it be within a reasonable distance of Pacific Coast Highway. Further, this policy, as submitted, fails to contain provisions to enhance the public's ability to cross from the inland side of Pacific Coast Highway to the beach. Along this line, Policy C 2.2.3 would only “allow” and overpass rather than encourage that an overpass be provided. Therefore, for the reasons stated the Shoreline and Coastal Resource Access Section of the Coastal Element, as submitted, is not in conformance with nor is it adequate to carry out the Coastal Act and must be denied as submitted.

However, if modified through suggested modifications to address the identified deficiencies, the Shoreline and Coastal Resource Access Section of the Coastal Element can be brought into conformance with the Coastal Act. Policy C 2.1.2 has been modified to require that replacement parking be provided prior to the loss of any parking, that replacement parking be provided within a reasonable distance (500 feet) of Pacific Coast Highway, that pedestrian parking across Pacific Coast Highway be provided, that drop off points be provided on the seaward side of Pacific Coast Highway, and that the replacement parking be dispersed. Especially essential is the need to provide several drop-off points on the seaward side of Pacific Coast Highway to minimize beach visitors having to carry beach equipment a long distance. Such drop off points will also facilitate coastal access for people who are physically challenged. Policy C 2.2.3 has been modified by replacing the word “Allow” with “Encourage”. This is more in line with Section 30252 where the policy intent is to promote coastal access opportunities.

Therefore, as modified through the suggested modifications, the Commission finds that the Shoreline and Coastal Resource Access Section of the Coastal Element is in conformance with and adequate to carry out the public access policies of the Coastal Act including Section 30252.

D. TRANSIT

1. AMENDMENT TOPIC

This section of the Coastal Element provides policies that encourage public mass transit opportunities. Policies included in this section relate to working with the Orange County Transportation Authority to locate bus routes, transportation centers, and bus stops to facilitate public coastal access.

2. APPLICABLE COASTAL ACT POLICIES

Applicable Coastal Act policies include Sections 30252 and 30253. Section 30252 requires that the location and amount of new development should maintain and enhance public access to the coast by facilitating the provision or extension of transit services, providing facilities that will minimize the use of coastal access roads, allowing public transportation to be provided as a substitute for parking, and assuring public transit for high intensity uses. Section 30253, in applicable part, promotes the minimization of energy use and vehicle miles traveled.

3. COASTAL ACT CONSISTENCY

The Transit Section of the Coastal Element provides policies related to how the overall circulation system for the City should be designed to promote coastal access opportunities. As submitted, the Transit Section of the Coastal Element does not conform with Sections 30252 and 30253 of the Coastal Act in that several policies do not promote public transit as one method of facilitating public access to the coast. This is especially essential from the context of Section 30253, which encourages minimizing energy consumption and vehicle miles traveled. Additionally, beach communities are customarily short of public parking near beach areas and visitor-serving commercial developments. To reduce congestion in highly frequented areas of the coastal zone, the Coastal Element seeks to promote parking outside the coastal zone. Consequently it is imperative that public transit provide alternative means for the public to access coastal resources.

Policies C 2.3.1 and C 2.3.5 do not conform to Section 30252 of the Coastal Act. For example, Policy C 2.3.1 does not fully implement the requirements of Section 30252 for encouraging the use of public transit for providing public access to the coast. Policy C 2.3.1 if it were in conformance with Section 30252 would also be in conformance with Section 30253 of the Coastal Act for minimizing energy consumption and vehicle miles traveled. Next, Policy C 2.3.5 fails to acknowledge that a transit center, if constructed, should enhance coastal access opportunities. Therefore, for the reasons stated the Transit Section of the Coastal Element, as submitted, is not in conformance with nor is it adequate to carry out the Coastal Act and must be denied as submitted.

However, if modified through suggested modifications to address the identified deficiencies, the Transit Section of the Coastal Element can be brought into conformance with the Coastal Act. Policy C 2.3.1 has been modified to encourage the public use of public transit for providing public access to the coast by providing incentives to use public transit. Policy C 2.3.5 has been modified to note that the development of a transportation center should also promote coastal access and should not simply be limited to serve local traffic. Additionally a new policy has been added (C 2.3.X1) to include the requirements of Section 30252(5) to assure that high intensity uses provide public transit. Therefore, as modified through the suggested modifications, the Commission finds that the Transit Section of the Coastal Element is in conformance with

and adequate to carry out the public access policies of the Coastal Act including Section 30252.

E. PARKING

1. AMENDMENT TOPIC

This section of the Coastal Element provides policies that assure that adequate parking is provided. Additional provisions of parking policies encourage the use of parking areas outside the coastal zone in conjunction with public mass transit and to allow the use of alternative parking mechanisms such as residential parking districts to minimize conflicts between beach parking and residential parking needs.

2. APPLICABLE COASTAL ACT POLICIES

Applicable Coastal Act policies include Sections 30212.5 and 30252. Section 30212.5 requires that visitor serving public facilities, such as parking be distributed to prevent any one area from becoming overcrowded. Section 30252 requires that the location and amount of new development should maintain and enhance public access to the coast by providing adequate parking or other substitute means of serving the development with public transportation.

3. COASTAL ACT CONSISTENCY

The Parking Section of the Coastal Element provides guidance on how parking in the City's coastal zone will be managed. As submitted, the Parking Section of the Coastal Element does not conform with Sections 30212.5 and 30252, 30231 and 30232 of the Coastal Act.

The Parking Section of the Coastal Element raises three principal concerns with the Coastal Act. First, is the provision for a preferential parking district, which could adversely affect the public's ability to access the beach through the denial of parking opportunities on public streets. The second concern is the lack of integration of parking with the provision for public transit. And third, minimizing adverse impacts of urban runoff from parking lots on water quality.

Policies C 2.4.5, as submitted would allow for a residential parking district. Residential parking districts can have an adverse effect on the public's ability to access the coast by privatizing public parking. As submitted, this policy is inconsistent with the public access

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policies of the Coastal Act as there are no standards in this policy to protect the public's ability to use public streets for parking.

Preferential parking districts have been a serious concern for the Commission since they privatize public streets for the benefit of local residents, which ends-up excluding the beach-going public from access to the coast. Commission involvement in preferential parking issues is based upon Coastal Act policies, which encourage maximizing public access to the shoreline. For many areas of the coast, particularly the more urbanized areas, the key to gaining access to the shoreline and associated visitor serving commercial opportunities has been the availability of public parking opportunities. In past permit actions (such as the one described below), the Commission has consistently found that public access includes, not only pedestrian access, but also the ability to drive into the coastal zone and park in order to access and view the shoreline. The Commission has also found that parking access to visitor serving commercial opportunities is also an important consideration for the overall coastal recreational experience. Without the adequate provision for public use of public streets, residential permit programs that use public streets present potential conflicts with Coastal Act access policies. Consequently, Policy C 2.4.5 must be modified to address the concerns identified above.

As submitted, Policy C 2.4.5 would allow the potential creation of a preferential parking district. The Commission denied the expansion of such a district in 1998. On February 4, 1998 the Commission, on appeal, found substantial issue on a City of Huntington Beach coastal development permit (CDP 97-22)⁴ for a preferential parking district. The proposed preferential parking district was actually an expansion of an existing preferential parking district to exclude the public from parking on Intrepid Lane and Remora Drive. The De Novo hearing was also held on February 4, 1998 and resulted in the Commission denying the proposed preferential parking district.

At this hearing the Commission found that the proposed parking district expansion would: 1) adversely affect the public's ability to access the coast and nearby parks, 2) that there were numerous visitor serving commercial opportunities along Pacific Coast Highway that the public would **not** be able to access if on-street parking was lost, and 3) that local community facilities (a community center) would be deprived of public on-street parking thereby discouraging the community facility from providing community events such as "town hall" meetings.

In reaching this decision the Commission found that: *"... the stated intent of the proposed preferential parking district is to limit on-street parking to residents. The rest of the general public would be excluded from using the streets for parking. Allowing the preferential parking district in addition to the existing preferential parking district would constitute a cumulative incremental loss in public parking."*

⁴ Commission appeal/permit action A-5-HNB-97-344

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While the example cited above is a denial of one preferential parking program, the Commission has considered a number of preferential parking programs. The Commission has approved the majority of these programs. The Commission, however, notes that the approved programs regulated public parking; they did not prohibit all public parking in favor of exclusive residential use. As submitted, Policy C 2.4.5 minimizes the conflicts between beach parking and residential parking at the expense of the beach-going public.

Preferential parking programs, normally, are clear attempts to resolve the conflict between competing users over who gets to use on-street parking. Usually the disputes are between residents and coastal visitors, as illustrated above. The Commission has approved parking programs only when the Commission could find a balance between the parking needs of the residents and the general public without adversely impacting public coastal access.

Where a balance between residents and the general public cannot be found and the parking restrictions would adversely impact the public's opportunity to utilize coastal resources, the Commission has denied preferential parking programs. Policy C 2.4.5, as submitted, must consequently be revised to bring it into conformance with the Coastal Act.

Next, Policy C 2.4.4, as submitted, though it encourages the use of parking areas outside the coastal zone, is vague as to means for how this policy is to be accomplished. As a final point, the Parking Section does not contain a policy for minimizing urban runoff from parking lots and assuring that adverse impacts to water quality are minimized.

Therefore, for the reasons stated above the Parking Section of the Coastal Element, as submitted, is not in conformance with nor is it adequate to carry out the Coastal Act and must be denied as submitted.

However, if modified through suggested modifications to address the identified deficiencies, the Parking Section of the Coastal Element can be brought into conformance with the Coastal Act. Policy C 2.4.5 has been modified to prohibit the implementation of a residential parking district if it would adversely affect public access to the coast through a reduction in the availability of public parking spaces. Policy C 2.4.4 has been adapted to develop parking areas outside the coastal zone, to encourage the provision for incentives for parking in those locations, and to provide transportation to/from the beach. Finally, a new policy (C 2.4.X1) has been added to require that parking lots be designed in conformance with the Water and Marine Resources Policies of the Coastal Element to include best management practices such as periodic sweeping to minimize adverse impacts on water quality. Therefore, as modified through the suggested modifications, the Commission finds that the Parking Section of the Coastal Element is in conformance with and adequate to carry out the public access and water quality policies of the Coastal Act including Section 30252.

F. DIRECT ACCESS

1. AMENDMENT TOPIC

This section of the Coastal Element provides policies to address how vertical and lateral public access is to be provided within the City of Huntington Beach. Additional policies in this section discuss how the City will accept offers of dedication, will work with a variety of funding sources to improve access opportunities, will promote pedestrian safety and provide a pedestrian overpass from the inland side Pacific Coast Highway to the beach side.

2. APPLICABLE COASTAL ACT POLICIES

Similar to the preceding Coastal Element Section on Shoreline and Coastal Resource Access, Coastal Act Sections 30210 through 30214 are the predominant policies that will be used to evaluate the conformance of the Direct Access policies of the Coastal Element with the Coastal Act. Sections 30210 through 30214 establish that public coastal access will be maximized, that development not interfere with public access, that public facilities be distributed throughout the City's coastal zone, that lower cost visitor serving opportunities will be protected and encouraged, and that public access can be regulated in terms of time, place, and manner.

3. COASTAL ACT CONSISTENCY

The Direct Access Section of the Coastal Element provides guidance on how the City will obtain vertical and lateral access to the coast. As submitted, the Direct Access Section of the Coastal Element does not conform with the public access policies of the Coastal Act. The Direct Access Section of the Coastal Element, as submitted, raises one major concern with the Coastal Act. That is the apparent lack of commitment of the public access policies of the Coastal Element to promote enhancing public access.

Policies C 2.5.1, C 2.6.2 contain text which minimizes the ability of City to enhance public access opportunities. The language of Policy C 2.5.1 tolerates privacy issues as justification to pass-up pursuing opportunities for providing or enhancing public access. Language to this effect is also present in Policy C 2.6.2, as submitted. As worded in the submission of the Coastal Element, this language can be used as the basis to avoid pursuing opportunities for obtaining public access. Policy C 2.6.2 states, in part, "*Access to the bulkhead areas of Huntington Harbour is generally not appropriate, because in most cases it cannot be provided consistent with privacy standards.*" Additionally, Policy

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C 2.6.2 limits pursuing public access only to instances of new development on vacant parcels and appears to exempt the opportunity to gain public access when a property is recycled. When development occurs on a developed parcel through demolition and reconstruction the potential of acquiring public access should be investigated and if feasible pursued. Therefore, as submitted, the language of Policy C 2.6.2 clearly does not conform with Section 30212, which requires that public access, be provided when new development occurs.

Therefore, for the reasons stated above the Direct Access Section of the Coastal Element, as submitted, does not in conform with and is not adequate to carry out the Coastal Act and must be denied as submitted. However, if modified through suggested modifications to address the identified deficiencies, the Direct Access Section of the Coastal Element can be brought into conformance with the Coastal Act.

To enhance the commitment of the Coastal Element to provide public access consistent with the public access requirements of the Coastal Act, Policies C 2.5.1 and C 2.6.2 have been modified. To bring Policy C 2.5.1 into conformance with the Coastal Act Section 30210, 30211, and 30212 the text of Policy C 2.5.1 citing overriding safety, environmental, or privacy issues has been deleted. To bring Policy C 2.6.2 into conformance with the Coastal Act policies promoting public access Policy C 2.6.2 has been modified to evaluate the potential for lateral access when new development or redevelopment occurs, to delete text which states that public access may be precluded based on privacy issues, and to require that new development or substantial redevelopment be setback twenty five feet so that there is sufficient distance for both public access and privacy. Therefore, as modified through the suggested modifications, the Commission finds that the Direct Access Section of the Coastal Element is in conformance with and adequate to carry out the public access policies of the Coastal Act.

G. RECREATIONAL AND VISITOR SERVING FACILITIES

1. AMENDMENT TOPIC

This section of the Coastal Element provides policies to provide a variety of recreational and visitor serving commercial uses in the coastal zone. Additional policies in this section call for the prohibition of above ground structures on the sandy beach except for certain limited types of development, the provision of visitor serving development for a wide range of income groups, the provision of additional overnight camping facilities, and the promotion of the development of Harriett Wieder Regional Park and the City's Municipal Pier as a "hub" for tourist and community activity.

2. APPLICABLE COASTAL ACT POLICIES

Applicable Coastal Act policies for evaluating the conformance of the Recreation and Visitor Serving Facilities Section with the Coastal Act include Sections 30212.5, 30213, 30221, 30222, 30223, and 30224. Section 30212.5 requires that visitor serving public facilities, such as parking be distributed to prevent any one area from becoming overcrowded. Section 30213 requires that lower cost visitor serving facilities will be protected, encouraged, and where feasible provided. Section 30221 states that oceanfront land suitable for recreational use will be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided in the area. Section 30222 requires that private lands suitable for visitor-serving commercial recreational uses designed to enhance public opportunities for coastal recreation will have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry. Section 30223 requires that upland areas necessary to support coastal recreational uses shall be preserved for such uses, where feasible. Section 30224 promotes increased recreational boating use. This includes provisions for boat docks, dry storage areas, public launching facilities, and additional berthing spaces.

3. COASTAL ACT CONSISTENCY

The Recreational and Visitor Serving Facilities Section of the Coastal Element provides standards for how the City will promote the development of recreational and visitor serving facilities. As submitted several policies of the Recreational and Visitor Serving Facilities Section of the Coastal Element does not conform with the policies of the Coastal Act.

The Recreational and Visitor Serving Facilities Section of the Coastal Element raises several primary concerns with the Coastal Act. The first is the potential for facilities to be allowed to encroach onto sandy beach. Next, is the allowance for timeshares. The lack of a policy promoting recreational boating consistent Section 30224 of the Coastal Act. And finally the lack of a policy to reserve upland areas necessary to support coastal recreational uses consistent with Section 30233 of the Coastal Act.

In terms of the potential for facilities to encroach onto sandy beach, Policy C 3.1.2 would allow parking lots to potentially expand onto sandy beach. Though parking is a necessary requirement for public access, it should not encroach onto sandy beach, as it will deprive beach users of usable beach. Alternatives also exist in the form of a program which links inland parking opportunities with public transit. Additionally, this policy (as submitted) lacked standards for minimizing the amount of sandy beach that could be converted to parking lot use.

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In terms of timeshares, Policy C 3.2.3, as submitted, would allow timeshares. Though time-shares are similar to hotels in many ways there are significant differences that favor interpreting time-shares as a form of residential development. Time-shares cannot be considered to be a true visitor serving development, like a hotel, since it is membership based and it would be possible for members to stay for significant periods of time. In fact, it would be possible for a time-share member to buy enough time slots to cover an entire year, which would basically make the time-share member a year round resident. Furthermore, the Commission recognizes that time-share membership though it is available to general public, once purchased by the member would not promote maximum public access opportunities on a first come first serve basis such as hotels provide.

Timeshares typically involve the “selling” of units to more affluent vacationers who typically stay in the units for longer periods of time than overnight use. Because they are occupied for longer periods of time by those who buy interests in them, they are almost considered to be a residential use rather than a transient visitor serving use. Under Section 30222 of the Coastal Act, residential development is a low priority use in the Coastal Zone.

Finally, the focus of this section is the provision for visitor serving facilities. Lacking are two policies for promoting the preservation of upland areas for coastal recreational uses and boating. Section 30224 of the Coastal Act requires that recreational boating use of coastal waters shall be encouraged. Section 30223 of the Coastal Act states that upland areas necessary to support coastal recreation uses shall be reserved for such uses, where feasible. The failure to include these two policies in the Coastal Element is an oversight that could result in the loss of land necessary for coastal recreation and the loss of recreational boating opportunities.

Therefore, for the reasons stated above, the Recreational and Visitor Serving Facilities Section of the Coastal Element, as submitted, is not in conformance with nor is it adequate to carry out the Coastal Act and must be denied as submitted. However, if modified through suggested modifications to address the identified deficiencies, the Recreational and Visitor Serving Facilities Section of the Coastal Element can be brought into conformance with the Coastal Act.

The public access policies of the Coastal Act promote that coastal access opportunities be maximized. To bring Policy C 3.1.1 into conformance with the Coastal Act with the access policies a suggested modification has been added to allow pedestrian trails necessary for handicapped access to encroach onto sandy beach. To bring Policies C 3.2.10 and C 3.5.2 into conformance with the Coastal Act, both of these policies were modified to include a provision for transit service. These modifications will promote the use of public transit to Harriet Wieders Park and the beach.

Policy C 3.2.2, as submitted, has been revised to clarify that public facilities shall be open to the public. However, the requirement that private facilities must be open to the

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general public has been deleted. This requirement has been deleted as the Coastal Act does not contain any policies which require that private recreation facilities on private land be opened to the general public unless necessary to offset adverse impacts on public access/recreation caused by the private facility.

In terms of the potential for facilities to encroach onto sandy beach, Policy C 3.1.2, as submitted, which would allow parking lots to expand onto sandy beach, has been modified. Policy C 3.1.2 has been modified to delete the potential that would allow parking lots to encroach onto sandy beach. Though parking is necessary form of development for promoting public access, parking lots should not encroach onto sandy beach. It is the sandy beach that many visitors to the coast come to visit. Parking alternatives that are further inland should be pursued in conjunction with the provision for public shuttle service to/from the beach. Inland parking opportunities would also be more environmentally friendly as in most cases the areas would already be paved. Additionally, public transit can be used to facilitate the public's travel to and from the beach. Along these lines, Policy C 3.1.1 has also been modified to delete public camping and recreational vehicle facilities from encroaching onto sandy beach. Therefore, for the reasons cited above it would be inappropriate to allow facilities to encroach onto sandy beach.

To address the issue of timeshares, Policy C 3.2.3 has been modified to delete timeshares and a new policy (Policy C 3.2.X1) has been added to provide criteria which would allow for timeshare development. As stated in the findings for denial, time shares have a residential component to them and they are also membership based. Consequently timeshares do not maximize public opportunities. To maximize public opportunities for overnight accommodations, a suggested modification can be made to include a provision that a portion of the timeshare operate as a hotel. To assure that timeshares provide visitor serving opportunities for overnight accommodations consistent with the public access policies of the Coastal Act, Policy C 3.2.X1 has been added to specify that twenty-five percent of the units will be operated in the same manner as a hotel during the peak summer period beginning with Memorial Day weekend through the Labor Day weekend. This includes provisions for a centralized reservation system, advertising, check-in/out services, security, and daily housekeeping. The Commission has placed similar timeshare policies in the City of Oceanside Local Coastal Program and the Newport Coast Local Coastal Program.

To address the necessity to protect upland coastal areas for recreation and to promote recreational boating, the language of Section 30223 and Section 30224 of the Coastal Act have been added as new policies. New Policy C 3.1.X1 implements Section 30233 of the Coastal Act. New Policy C 3.4.X1 implements Section 30234 of the Coastal Act.

Therefore, as modified through the suggested modifications, the Commission finds that the Recreational and Visitor Serving Facilities Section of the Coastal Element is in conformance with and adequate to carry out the public access, recreation, and visitor serving policies of the Coastal Act.

H. VISUAL RESOURCES

1. AMENDMENT TOPIC

This section of the Coastal Element provides policies to preserve and enhances visual resources. Additional policies of this section call for the preservation of night time views, the preservation of public views to and from bluffs, the preservation of public views to and from the seashore, that new development be sited and designed to protect public views, that Pacific Coast Highway be designated as a State Scenic Highway, that billboards be prohibited, that mature trees be protected, that landscaping standards be developed, that utilities be placed underground, that oil and gas development be screened, and that natural landform alterations be minimized.

2. APPLICABLE COASTAL ACT POLICIES

Section 30251 of Coastal Act provides the principal policy for evaluating the conformance of the Visual Resources policies of the Coastal Element with the Coastal Act. Section 30251 states that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Development should be sited and designed to protect public views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and to restore and enhance visual quality in visually degraded areas, where feasible.

3. COASTAL ACT CONSISTENCY

The Visual Resources Section of the Coastal Element provides standards for maintaining and improving visual resources. As submitted several policies of the Visual Resources Section of the Coastal Element do not conform with the policies of the Coastal Act.

The Visual Resources Section of the Coastal Element raises several primary concerns with the Coastal Act. The first major issue raised by this section is a policy that mandates that the City oppose off-shore oil and gas development. Next, this section does not contain a requirement that landform alteration be minimized. Additionally, this section lacks a policy, in conformance with Section 30251 of the Coastal Act, that states that scenic and visual resources are of public importance. This section lacks policies regarding wireless communication facilities. A final deficiency is that this section lacks requirements to promote the use of native vegetation.

In terms of off-shore oil and gas development, Policy C 4.7.7 states that the City should oppose offshore drilling where it would have visual and environmental impacts. Coastal industrial related development is allowed under the Coastal Act pursuant to the requirements of Sections 30260 through 30264. As submitted, this policy would therefore not conform to the requirements of Sections 30260 through 30264 of the Coastal Act. Furthermore, offshore oil and gas development is under the jurisdiction of the Coastal Commission pursuant to Section 30519 of the Coastal Act. Section 30519 states that any development proposed or undertaken on any tidelands, submerged lands, or on public trust lands remains under the coastal development permit jurisdiction of Commission. However, any related onshore development would still be under the purview of the City. To bring Policy C 4.7.7 into conformance with the Coastal Act, this policy has been revised to incorporate the requirements of Sections 30260 through 30264 acknowledging the necessity for the development to be in the least environmentally damaging location unless the public welfare would be adversely affected and that any adverse environmental effects be mitigated to the maximum extent feasible.

In terms of minimizing landform alterations, Policies C 4.4.1, C 4.4.2, C 4.4.3 lack language consistent with Section 30251 of the Coastal Act that landform altering activities be minimized. Though these, policies generally prohibit landform altering activities, once a valid reason has been identified for allowing a landform altering activity there is no requirement that it be minimized. To assure conformance with Section 30251, these policies need to be revised to assure that any landform altering activity, if allowed, is the minimum necessary.

Finally, to assure, consistent with Section 30251 of the Coastal Act policies need to be added to this section to explicitly state that visual resources are of public importance,

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that native vegetation be utilized in certain areas, and that telecommunication facilities be sited and designed to minimize adverse visual impacts.

Therefore, for the reasons stated the Visual Resources Section of the Coastal Element, as submitted, is not in conformance with nor is it adequate to carry out the Coastal Act and must be denied as submitted. However, if modified through suggested modifications to address the identified deficiencies, the Visual Resources Section of the Coastal Element can be brought into conformance with the Coastal Act.

In terms of the off-shore oil and gas development Policy C 4.7.7 has been modified to bring it into conformance with the requirements of Sections 30260 through 30264 of the Coastal Act. Moreover, the City is not precluded from opposing offshore oil and gas development as it may participate in the NEPA/CEQA environmental processes, in the Commission's coastal development permitting process, and through lobbying and legislative processes.

To address the issue of minimizing landform alterations, Policies C 4.4.1, C 4.4.2, C 4.4.3 have been modified to add language that landform alterations, if allowed, be minimized consistent with Section 30251 of the Coastal Act.

To assure consistent with Section 30251 of the Coastal Act, several new policies have been added to explicitly state that visual resources are of public importance, that native vegetation be utilized in certain areas, and that telecommunication facilities be sited and designed to minimize adverse visual impacts. New Policy C 4.1.X1 states that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. This policy also includes language that development will be sited and designed to protect public views. Policy C 4.2.2 was modified, consistent with Section 30251 of the Coastal Act to state that development will be designed to protect public views. Policies C 4.4.1, C 4.4.2, and C 4.4.3 have been modified to minimize bluff alterations.

To address the visual resource concerns related by the proliferation of wireless facilities two new policies have been added. These new policies (C 4.5.X1 and C 4.5.X2) mandated that these facilities be sited and designed to minimize visual impacts and that wireless facilities next to or in Water Recreation, Conservation, Parks, and Shoreline areas be removed within six month once they cease operation.

To clarify the role of native vegetation in preserving visual resources, two new policies have been added. These new policies (C 4.6.X1 and C 4.6.X2) require the use of native landscaping in areas adjacent to environmentally sensitive habitat areas and coastal bluffs. Additionally no in-ground permanent irrigation systems will be allowed. Moreover, these policies require the use of native vegetation in these areas which will preserve the natural look of these areas, will further habitat values, and minimize the potential for non-native invasive species from occupying sensitive habitat areas. These modifications

are necessary to ensure consistency with Coastal Act Sections 30231, 30240, and 30253.

Therefore, as modified through the suggested modifications, the Commission finds that the Visual Resources Section of the Coastal Element is in conformance with and adequate to carry out Section 30251 of the Coastal Act regarding the protection of visual and scenic resources.

I. HISTORIC AND CULTURAL RESOURCES

1. AMENDMENT TOPIC

This section of the Coastal Element provides policies to preserve significant historic, archeological and paleontological resources. Additional policies of this section relate to identifying significant historic, archeological and paleontological resources, coordinating with the California Historic Preservation Office, and promoting the City's downtown as an historic center.

2. APPLICABLE COASTAL ACT POLICIES

Section 30244 of Coastal Act provides the principal policy for evaluating the conformance of the Historic and Cultural resources policies of the Coastal Element with the Coastal Act. Section 30244 states that where development would adversely impact archeological or paleontological resources, as identified by the State Historic Preservation Officer, that reasonable mitigation be provided.

3. COASTAL ACT CONSISTENCY

The Historic and Cultural Resources Section of the Coastal Element provides policies to assure that significant archeological, paleontological, and historical resources are protected, to the extent feasible. As submitted several policies of the Historic and Cultural Resources Section of the Coastal Element do not conform with the policies of the Coastal Act.

The Historic and Cultural Resources Section of the Coastal Element raises one primary concern with the Coastal Act. This concern relates to how archeological and paleontological resources will be identified and protected. As submitted, the Coastal Element fails to provide policies that would provide structure for the identification and protection of archeological and paleontological resources. Therefore, for the reasons stated the Historic and Cultural Resources Section of the Coastal Element, as submitted, is not in conformance with nor is it adequate to carry out Section 30244 of the Coastal Act and must be denied as submitted.

However, if modified through suggested modifications to address the identified deficiencies, the Historic and Cultural Resources Section of the Coastal Element can be brought into conformance with Section 30244 of the Coastal Act. To assure conformance with Section 30244, three new policies must be added for providing specific guidance on how archeological and paleontological should be identified and treated.

Section 30244 of the Coastal Act requires that when development, which could adversely impact archeological or paleontological resources, is undertaken that reasonable mitigation measures shall be required. How this is accomplished is unspecified in the Coastal Act. To address this issue, the Commission adopted Statewide Interpretive Guidelines in December 1981. The Guidelines state, in part, that *"If not properly located and designed, development can significantly impact archeological resources.*

Excavation or grading commonly performed as part of site preparation for a project can obliterate archeological materials, or disturb their provenance to such an extent that the information that could have been derived from the knowledge of their relative position could be permanently lost. ... As so many archeological sites have been destroyed or damaged as a result of man-made developments or natural processes, the remaining sites even though they may be less rich in archeological materials, have become increasingly valuable. Archeological sites also have great cultural and religious significance for contemporary Native Americans and their destruction or desecration is of great concern to the Native American Community." To assure that archeological resources are appropriately identified, three new policies (C 5.1.X1, C 5.1.X2, and C 5.1.X3) have been added to address the concerns identified. Policy C 5.1.X1 specifies the process to be followed if Native American remains are uncovered. Policy C 5.1.X2 requires that archeological research be conducted to evaluate potential

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significance of any archeological artifacts that may be discovered. Policy C 5.1.X3 requires monitoring of grading operations as a final measure to assure that archeological and paleontological resources are not inadvertently destroyed. Similar policies were adopted when the Commission approved the Bolsa Chica Local Coastal Program⁵ on November 16, 2000, and the Treasure Island Specific Plan on August 13, 1998.

Policy C 5.1.3 establishes that the City is to develop the downtown area as a pedestrian orientated commercial and entertainment district. This is to be accomplished through the establishment of policies and standards that will be included in the Downtown Specific Plan. The Downtown Specific Plan is part of the City's certified local coastal program. To clarify that any changes to the Downtown Specific Plan will require an amendment to the City's certified local coastal program, text has been added to Policy C 5.1.3 to require that any changes to the Downtown Specific Plan be submitted to the Commission for certification.

Therefore, as modified through the suggested modifications, the Commission finds that the Historical and Cultural Resources Section of the Coastal Element is in conformance with and adequate to carry out Section 30244 of the Coastal Act regarding the protection of archeological and paleontological resources.

J. WATER AND MARINE RESOURCES

1. AMENDMENT TOPIC

This section of the Coastal Element provides policies to prevent the degradation of coastal waters and marine resources resulting from urban development. Additional policies of this section relate to developing mitigation measures to implement the Municipal Non-Point Source National Pollutant Discharge Elimination System, to improve infrastructure to prevent sewage system failures, to work with a variety of agencies to assure that dissolved oxygen levels do not fall below minimum standards, to eliminate the use of anti-fouling chemical treatments except in certain locations, encourage water reclamation, limit the diking, dredging, and filling of coastal waters, prohibit structures which may alter shoreline processes, limit flood control projects, and to protect the natural beach environment.

⁵ Though the Commission approved the Bolsa Chica Local Coastal Program; the County of Orange, on May 8, 2001 voted to decline accepting the Commission's suggested modifications. Furthermore, the Commission's certification lapsed on May 16, 2001 pursuant to Section 13537 of the California Code of Regulations. Consequently the Bolsa Chica Local Coastal Program is not certified.

2. APPLICABLE COASTAL ACT POLICIES

Marine related policies contained in the Coastal Act are principally found in Sections 30230 through 30236. Other applicable policies include Section 30607.1 and Section 30240. These policies along with other applicable policies will be used to evaluate the conformance of the Water and Marine Resources Section of the Coastal Element with the Coastal Act. In general the marine related policies of the Coastal Act mandate that marine resources shall be maintained, enhanced, and where feasible, restored. Furthermore, they require that the biological productivity and quality of coastal waters be maintained for optimum populations of marine organisms and the protection of human health.

These policies also require that the marine environment be protected from hazardous materials, limit the fill of coastal waters to eight enumerated uses, that the least environmentally damaging feasible alternative be implemented and that feasible mitigation be provided.

Though not a marine resource protection policy per se, Section 30240 is an applicable policy as many wetland areas are also considered environmentally sensitive habitat areas. Section 30240 requires that environmentally sensitive habitat areas be protected against any significant disruption of habitat values and only uses dependent on those resource be allowed within those areas. Section 30240 also requires that development adjacent to environmentally sensitive habitat areas plus parks and recreation areas be sited and designed to prevent impacts that would significantly degrade those areas and should be compatible with the continuance of those habitat and recreation areas.

3. COASTAL ACT CONSISTENCY

The Water and Marine Resources Section of the Coastal Element provides policies to assure that the degradation of water quality is minimized so that urban water flowing into coastal waters will have a minimal adverse impact on the marine environment. As submitted several policies of the Water and Marine Resources Section of the Coastal Element do not conform with the policies of the Coastal Act. Furthermore, additional policies need to be added to assure marine resources will be maintained and where feasible enhanced.

The Water and Marine Resources Section of the Coastal Element raises one primary concern with the Coastal Act. This concern relates to how urban runoff will be captured and treated so that when it is discharged into the marine environment it will have a minimal adverse impact. Pollutants commonly found in urban runoff include: petroleum hydrocarbons, heavy metals, synthetic organic chemicals (such as pesticides, herbicides, paints and household cleaners), soap, fertilizers, yard wastes, litter, animal waste, and pathogens such as bacteria and viruses. Additionally, many coastal communities have

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been experiencing sewage spills due to inadequate design, aging infrastructure, and inadequate maintenance. The discharge of these pollutants into coastal waters can cause: eutrophication and anoxic conditions (resulting in fish kills and diseases), the alteration of aquatic habitat (resulting in changes to species composition and size), excess nutrients (resulting in algae blooms), increased sedimentation and turbidity which reduces the penetration of sunlight needed by aquatic vegetation which provide food and cover for aquatic species, disruptions to the reproductive cycles of aquatic species, and acute and sublethal toxicity in marine organisms leading to adverse changes in reproduction and feeding behavior. These impacts reduce the biological productivity and the quality of coastal waters, including streams, which reduce the optimum populations of marine organisms and have adverse impacts on human health, which can in turn severely limit public recreational access and opportunities.

The limiting of public recreational access and opportunities has in fact occurred through beach closures. The beach closures were attributed in part due to sewage spills. On April 26, 2001, the Los Angeles Times reported that for the years from 1987 through 2000, the Orange County Health Care Agency issued 252 orders that closed beaches for more than 2,000 days and that the situation was getting worse. According to the Los Angeles Times, while some sewage spills were the result of aging infrastructure, most spills were caused by pipes choked with grease. Furthermore, according to Heal the Bay⁶, ocean pollution tends to correlate with population. The more urban the area, the more contaminated the runoff. The beach report card issued by Heal the Bay showed that Ventura County Beaches were the cleanest, with 83% receiving the highest rating during dry weather. For Orange County 65% of the beaches received the highest rating during dry weather. Huntington State Beach near the pier received an "A" rating during the dry summer season but a "D" rating during the wet season⁷. However, the stretch of Huntington State Beach by Magnolia received a "D" rating for the period of April 2000 through October 2000 with an "F" rating during the wet season.

Because a specific source for the contamination of coastal waters has yet to be identified, the Orange County Sanitation District has undertaken a \$4.1 Million project⁸ to determine whether the treated sewage from its outfall may be a cause of beach pollution or if other factors are the cause. Study results are expected in the spring of 2002.

Polluted beaches affect human health and consequently the public's ability to visit the beach. According to Dr. Lifshitz⁹ contaminated water has greater adverse impacts on young children and the elderly since they are more susceptible to waterborne bacteria and viruses. Most often the symptoms show up as respiratory or gastrointestinal infections a day or two after exposure. According to the Los Angeles Times¹⁰

⁶ Los Angeles Times, May 24, 2001

⁷ Heal the Bay Website, www.healthebay.org

⁸ Los Angeles Times, May 9, 2001

⁹ Los Angeles Times, May 24, 2001

¹⁰ Los Angeles Times, July 13, 2000 and Los Angeles Times, May 9, 2001

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approximately 10 million visitors a year visit Huntington Beach's 8.5 miles of beach. Closures during the summer of 1999 "*kept the crowds away*" which significantly hurt the City's economy. Huntington State Beach saw a drop of at least \$250,000 in revenue.

Continuing to allow untreated urban runoff to discharge into coastal water would be inconsistent with Sections 30230 and 30231. As submitted, the Coastal Element fails to fully conform to the requirements of Sections 30230 through 30236 of the Coastal Act regarding the protection of the marine environment. Therefore, for the reasons stated the Water and Marine Resources Section of the Coastal Element, as submitted, is not in conformance with nor is it adequate to carry out the Coastal Act policies regarding the protection of marine resource and must be denied as submitted.

However, if modified through suggested modifications to address the identified deficiencies, the Water and Marine Resources Section of the Coastal Element can be brought into conformance with policies of the Coastal Act regarding water quality and the protection of marine resources. To assure conformance with Sections 30230 through 30236 of the Coastal Act, new policies must be added and some existing policies must be modified to provide specific guidance on how urban runoff should be captured, treated, and eventually discharged into coastal waters.

New policies added the Water and Marine Resources Section include C 6.1.X1, C 6.1.X2, C 6.1.X3, C 6.1.X4, C 6.1.X5, and C 6.1.X6. The addition of these policies enhances the conformance of the Water and Marine Resources Section with the Coastal Act. Policies C 6.1.X1, C 6.1.X2, and C 6.1.X3 incorporate the requirements of Sections 30230 and 30231 of the Coastal Act into the Coastal Element. Policies C 6.1.X4, C 6.1.X5, and C 6.1.X6 incorporate measures to require that dry weather nuisance flows be directed in the local wastewater treatment facility; that natural drainage patterns be maintained in areas designated as Conservation, Open Space, and Recreation; and that flood control projects be sited and designed to minimize impacts on the floodplain, to restore habitat, and to slow the rapid movement of water towards the ocean.

With regard to nuisance flows, nuisance flows are flows that occur during dry weather. They are generated from over watering, car washing activity, and other activity. These flows are not natural occurrences; rather they are the result of activity and operations associated with urban development. These flows tend to carry a heavy load of pollutants. Because of the relatively low volume of water and the relatively high pollutant level, these flows need to be treated before the water can be discharged into coastal waters.

To enhance the conformance of the Water and Marine Resources Section with the Coastal Act Policies C 6.1.1, C 6.1.3, C 6.1.4, C 6.1.6, C 6.1.7, C 6.1.8, C 6.1.9, C 6.1.11, C 6.1.12, C 6.1.14, C 6.1.17, C 6.1.19, and C 6.1.21 have been modified. The thrust of these modifications has been to add additional language requiring the inclusion of best management practices for projects that could have adverse impacts on

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coastal waters if not properly regulated. For example Policy C 6.1.8, which discourages the use of anti-fouling paints on boats, has been expanded to develop regulatory and non-regulatory mechanisms for assuring that all boat maintenance activities have minimal adverse impacts on the environment. Policy C 6.1.12, as submitted, states that outfalls are permitted provided that mitigation is provided. However, no guidance was provided as to the nature of any permissible mitigation measures. Policy C 6.1.12 has been modified to clarify that the water being discharged must maintain or enhance the functional capacity of the receiving waters.

Of special interest are Policies C 6.1.14 (see Page 112) and C 7.1.4 (see Page 119). These two policies refer to a wetland area near the intersection of Beach Boulevard and Pacific Coast Highway in the City of Huntington Beach. This approximately 0.7 acre wetland was the subject of a City issued coastal development permit (CDP 97-15)¹¹ that would have allowed the wetland to be filled. Off-site mitigation for this fill would have occurred at the Shipley Nature Center. This Coastal Element Update, since it was submitted in 1999 incorporates the City's conditions of approval for the City's CDP. This City coastal development permit, however, was appealed to the Commission and the Commission approved the proposed project (CDP A 5-HNB-99-275) on April 11, 2000. On May 17, 2000 this approval became the subject of a lawsuit. In November 2000 the City and Commission reached a settlement agreement. The settlement agreement preserves the wetland in place. Consequently, Policies C 6.1.14 and C 7.1.4, as submitted, are obsolete. Policy C 6.1.14 has been modified to delete the text which references Policy C 7.1.4. Policy C 7.1.4 itself has been deleted. Policy C 7.1.4 (see Page 119) is actually located in the section of the Coastal Element providing the policies on Environmentally Sensitive Habitats.

Additional suggested modifications have been made to Policies C 6.1.3, C 6.1.17, and C 6.1.21 as submitted to bring them into conformance with the marine policies of the Coastal Act. Policy C 6.1.3 has been modified to recognize the value of watershed based planning to promote coastal water quality enhancement. Policies C 6.1.17 and C 6.1.21 have been modified to conform with the requirement of Sections 30235 and 30236 regarding the criteria for when protective structures (groins for example) can be allowed or when streams can be channelized. The revisions to these policies will not affect the City's ability to undertake projects to protect public safety, as the intent of the revisions was to clarify that a defined hazards must be identified and the any such development must be properly mitigated.

Therefore, as modified through the suggested modifications, the Commission finds that the Water and Marine Resources Section of the Coastal Element is in conformance with and adequate to carry out the Coastal Act regarding the protection of marine resources by minimizing adverse impacts to water quality.

¹¹ Approved by the City on September 14, 1998

K. ENVIRONMENTALLY SENSITIVE HABITAT

1. AMENDMENT TOPIC

This section of the Coastal Element provides policies to preserve, enhance, and restore, where feasible, environmentally sensitive habitat areas (ESHA) and wetlands. Additional policies of this section relate to regulating development in such a manner that impacts to environmentally sensitive habitat areas are minimized and mitigated. These policies also require that buffer areas be established to minimize ongoing urban activity on the environmentally sensitive habitats and wetlands.

2. APPLICABLE COASTAL ACT POLICIES

The principal Coastal Act section for evaluating the conformance of the Environmentally Sensitive Habitat Section of the Coastal Element with the Coastal Act is Section 30240. Section 30240 of the Coastal Act requires that environmentally sensitive habitat areas be protected against any significant disruption of habitat values and only uses dependent on those resource be allowed within those areas. Section 30240 also requires that development adjacent to environmentally sensitive habitat areas plus parks and recreation areas will be sited and designed to prevent impacts that would significantly degrade those areas and should be compatible with the continuance of those habitat and recreation areas.

Since wetlands and environmentally sensitive habitat areas are closely related, the marine policies of the Coastal Act also play an important role in evaluating the conformance of the Environmentally Sensitive Habitat Section of the Coastal Element with the Coastal Act. The principal marine related policies of the Coastal Act include Sections 30230, 30231, and 30233. Section 30230 requires that marine resources will be maintained, enhanced, and where feasible restored. Section 30231 requires that the biological productivity and quality of coastal waters be maintained for optimum populations of marine organisms and the protection of human health. Section 30233 limits the fill of coastal waters to eight enumerated uses and requires that there be no feasible less environmentally damaging alternative and that feasible mitigation measures be provided.

3. COASTAL ACT CONSISTENCY

The Environmentally Sensitive Habitats Section of the Coastal Element provides policies to assure that environmentally sensitive habitat areas are protected. As submitted several policies of the Environmentally Sensitive Habitats Section of the Coastal Element do not conform with the policies of the Coastal Act. The primary Coastal Act concern raised by the Environmentally Sensitive Habitats Section of the Coastal Element is the

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necessity to clarify the language of several policies to assure that environmentally sensitive habitat areas are protected.

However, if modified through suggested modifications to address the deficiencies identified below, the Environmentally Sensitive Habitats Section of the Coastal Element can be brought into conformance with policies of the Coastal Act regarding the protection of environmentally sensitive habitat areas.

The suggested modification for Policy C 6.1.14 (see Page 112) and the deletion of Policy C 7.1.4 (see Page 119) are discussed on page 201.

To assure conformance with Sections 30240 of the Coastal Act, a policy has been added and some existing policies have been modified to provide specific guidance on how environmentally sensitive habitat areas are to be protected. The new policy (C 7.1.X1) incorporates the language of Section 30240 part "a". Section 30240(a) states that environmentally sensitive resources are to be protected against significant disruption of habitat values and that only uses dependent on the resource will be allowed. A policy incorporating these requirements was not included in the Coastal Element as submitted.

Policy C 7.2.5, as submitted, has been divided into two policies since it deals with two different issues. The first issue concerns the protection of least tern nesting sites. This portion of Policy C 7.2.5 was not revised. The second issue relates to allowed uses in wetland areas, specifically access roads. This portion of the policy was moved into a new policy, C 7.2.X2. The language of this portion of the policy was revised to clarify that roads may only be allowed in wetlands pursuant to Section 30233 of the Coastal Act or when necessary pursuant to Sections 30260 through 30264 of the Coastal Act. Under Section 30233 the fill of wetlands for road construction may be allowed if it is an incidental public use or if it would be a necessary component of a new or expanded port, energy, or coastal dependent industrial facility. Sections 30260 through 30264 allows coastal dependent industrial facilities to locate or expand within existing sites and to be permitted reasonable long term growth. However, consistent with the requirements of Sections 30233 and 30260 through 302564, Policy C 7.2.X2 mandates that any road will be limited to necessary access roads and must be the least environmentally damaging feasible alternative, and must include feasible mitigation measures.

Policy C 7.1.2, as submitted, was revised to bring it into conformance with the language of Section 30240(b) of the Coastal Act. This clarifies that development adjacent to environmentally sensitive habitat areas is to be sited and designed to be compatible with the continuance of habitat values. Along these same lines, Policy C 7.3.1 was modified to require that educational centers on property with wetlands be sited and designed to prevent impacts that would significantly degrade the wetlands.

Therefore, as modified through the suggested modifications, the Commission finds that the Environmentally Sensitive Habitats Section of the Coastal Element is in conformance

with and adequate to carry out the Coastal Act regarding the protection of marine resources by minimizing adverse impacts to water quality.

L. ENERGY FACILITIES

1. AMENDMENT TOPIC

This section of the Coastal Element provides policies to accommodate energy facilities while promoting beneficial effects and minimizing adverse impacts through mitigation. Additional policies of this section relate to regulating development in such a manner that impacts to environmentally sensitive habitat areas are minimized and mitigated, to promote facility consolidation, and to promote the use of pipelines over tankers. Other policies mandate the development of oil spill containment plans, emergency evacuation plans, promoting solar energy, energy conservation, and the provision for vegetative screening of energy facilities.

2. APPLICABLE COASTAL ACT POLICIES

The applicable policies of the Coastal Act for evaluating the conformance of the Energy Facilities Section of the Coastal Element with the Coastal Act are found in Sections 30260 through 30265.5 of the Coastal Act. These policies permit coastal dependent industrial related development to occur. To the extent feasible development is to be consolidated. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated, they may be allowed provided that the alternative locations are infeasible or more environmentally damaging, to do so would adversely affect the public welfare, and that adverse environmental effects are mitigated to the maximum extent feasible.

Additionally, Section 30232 of the Coastal Act requires protection against the spillage of hydrocarbon products or other hazardous substances and that effective containment and cleanup be provided should an accidental spill occur.

3. COASTAL ACT CONSISTENCY

The Energy Facilities Section of the Coastal Element provides policies relative to the provision of energy facilities in the coastal zone. This section of the Coastal Element raises several concerns with the Coastal Act, which must be addressed through suggested modifications. Therefore, if modified through suggested modifications to address the deficiencies identified below, the Energy Facilities Section of the Coastal Element can be brought into conformance with the policies of the Coastal Act

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Policy C 8.2.4, as submitted, provides guidance for siting energy facilities in the coastal zone. This policy, however, is not in conformance with the provisions of Sections 30260 through 30264 of the Coastal Act. Policy C 8.2.4 is not in conformance with the industrial development provisions of the Coastal Act, as it would prohibit accommodating these facilities in environmentally sensitive habitat areas. Sections 30260 through 30264 allow the placement of coastal dependent industrial facilities to the extent that they cannot feasibly be accommodated consistent with other policies of the Coastal Act and may nonetheless be permitted if: alternative locations are infeasible or more environmentally damaging, to do otherwise would adversely affect the public welfare, and that adverse environmental effects are mitigated to the maximum extent feasible. Since Policy C 8.2.4 does not contain language consistent with Sections 30260 through 30264 of the Coastal Act, a suggested modification has been made to include language requiring consistency with Sections 30260 through 30264 of the Coastal Act.

Policy C 8.3.8 has been revised through a suggested modification. Offshore oil and gas development has been a controversial issue for coastal communities due to the potential for an accident that could result in an oil spill. As submitted the Coastal Element contains two policies mandating that the City oppose offshore oil and gas development. Policy C 4.7.7 (see Page 95) and C 8.3.8 (see Page 132) have been revised since coastal dependent energy development is an allowable use under the Coastal Act. Furthermore, the City's lacks jurisdiction over development occurring in coastal waters pursuant to Section 30519 of the Coastal Act. Section 30519 states that any development proposed or undertaken on any tidelands, submerged lands, or on public trust lands remains under the coastal development permit jurisdiction of Commission. However, any related onshore development would still be under the purview of the City. To bring Policy C 8.3.8 into conformance with the Coastal Act, this policy has been revised to incorporate the requirements of Sections 30260 through 30264 acknowledging the necessity for the development to be in the least environmentally damaging location unless the public welfare would be adversely affected and that any adverse environmental effects be mitigated to the maximum extent feasible. The modifications of these policies will not affect the ability of the City of Huntington Beach to express its concerns regarding offshore oil and gas development as the City will still be able to make its position known through the CEQA and NEPA processes, Federal and State permitting processes, and by resolution and legislative involvement.

The final suggested modification for the Energy Facilities Section is the inclusion of Section 30232 as a new policy (C 8.3.X1). Section 30232 mandates protection measures to minimize the spillage of petroleum products or other hazardous substances. A similar policy to Section 30232 was not provided in the Coastal Element Update. Minimizing the potential of hazardous spills and requiring effective cleanup is critical in areas containing environmentally sensitive habitat areas or areas where human health could be adversely affected. Therefore, Policy C 8.3.X1 has been added to assure that the transportation of hazardous materials contains protection against spillage and that effective containment and cleanup be provided.

Therefore, as modified through the suggested modifications, the Commission finds that the Energy Facilities Section of the Coastal Element is in conformance with and adequate to carry out the policies of the Coastal Act.

M. WATER, SEWER, AND DRAINAGE FACILITIES

1. AMENDMENT TOPIC

This section of the Coastal Element provides policies to provide water, sewer, and drainage systems that are able to support permitted land uses.

2. APPLICABLE COASTAL ACT POLICIES

Coastal Act policies relative to Water, Sewer, and Drainage Facilities are principally found in Sections 30230 through 30236. Other applicable policies include Section 30607.1 and Section 30240. These policies along with other applicable policies will be used to evaluate the conformance of the Water, Sewer, and Drainage Facilities Section of the Coastal Element with the Coastal Act. In general these policies of the Coastal Act mandate that marine resources shall be maintained, enhanced, and where feasible, restored. Furthermore, that the biological productivity and quality of coastal waters be maintained for optimum populations of marine organisms and the protection of human health. The accidental discharge of sewage and the discharge untreated urban runoff can have a significant adverse impact on coastal resources.

These policies also require that the marine environment be protected from hazardous materials, limit the fill of coastal waters to eight enumerated uses, that the least environmentally damaging feasible alternative be implemented and that feasible mitigation be provided.

Though not a marine resource protection policy per se, Section 30240 is an applicable policy as many wetland areas are also considered environmentally sensitive habitat areas. Section 30240 requires that environmentally sensitive habitat areas be protected against any significant disruption of habitat values and only uses dependent on those resource be allowed within those areas. Section 30240 also requires that development adjacent to environmentally sensitive habitat areas plus parks and recreation areas will be sited and designed to prevent impacts that would significantly degrade those areas and should be compatible with the continuance of those habitat and recreation areas.

3. COASTAL ACT CONSISTENCY

The Water, Sewer, and Drainage Section of the Coastal Element provide policies relative to the installation and maintenance of these types of facilities. Many of the Coastal Act concerns raised regarding the environmental effects of these facilities were evaluated and addressed through suggested modifications in the Water and Marine Resources Section (see Page 101). Consequently, this section of the Coastal Element focuses on two additional concerns that need to be addressed through suggested modifications. Therefore, only if modified through suggested modifications to address the deficiencies identified below, the Water, Sewer, and Drainage Section of the Coastal Element can be brought into conformance with the policies of the Coastal Act

Policy C 9.1.2 references master plans and capital improvements programs that would allow construction of water, sewer, and drainage facilities. As submitted, this policy would allow the adoption of future plans and programs without including a requirement that these plans or programs be consistent with the policies and standards of the City's Local Coastal Program. Absent language to this effect, it is conceivable that development not in conformance with the City's LCP could occur. To minimize this potential, language has been inserted into this policy, through a suggested modification, that any adopted plans or capital improvement programs must be consistent with the City's Local Coastal Program.

Sewer spills have become an endemic problem in coastal communities that affects coastal resources through beach closures and environmental degradation resulting from contamination. On April 26, 2001, the Los Angeles Times reported that for the years from 1987 through 2000, the Orange County health Care Agency issued 252 orders that closed beaches for more than 2,000 days and that the situation was getting worse. According to the Los Angeles Times, while some sewage spills were the result of aging infrastructure, most spills were caused by pipes choked with grease. To identify the sources of beach contamination, the Orange County Sanitation District has undertaken a \$4.1 Million Dollar project¹² to determine whether the treated sewage from its outfall is a cause of beach pollution. Study results are expected in the spring of 2002. According to the Los Angeles Times¹³ approximately 10 million visitors a year visit Huntington Beach's 8.5 miles of beach. Closures during the summer of 1999 "*kept the crowds away*" which significantly hurt the City's economy. Huntington State Beach saw a drop of at least \$250,000 in revenue.

To minimize the potential of broken or clogged sewer lines from overflowing and discharging contaminated water into coastal waters, a new policy (C 9.1.X1) has been added. Consistent with the requirements of Sections 30230 and 30231 of the Coastal Act to protect the quality of coastal waters, Policy C 9.1.X1 requires that new sewer systems and substantial improvements to existing sewer systems be designed to

¹² Los Angeles Times, May 9, 2001

¹³ Los Angeles Times, July 13, 2000 and Los Angeles Times, May 9, 2001

incorporate monitoring systems to assure automatic shut-down and isolation of failed segments to minimize the potential for a sewage discharge into coastal waters. To minimize the potential for contaminated water being discharged into coastal waters, suggested modifications were made in the Water and Marine Resources Section (see Page 197).

Therefore, as modified through the suggested modifications, the Commission finds that the Water, Sewer, and Drainage Facilities Section of the Coastal Element is in conformance with and adequate to carry out the policies of the Coastal Act.

N. HAZARDS

1. AMENDMENT TOPIC

This section of the Coastal Element provides policies to require that development be sited and designed to minimize risks to life and property in areas of high hazards such as floodplains and bluff tops. Additional policies relate to designing development adjacent to earthquake faults, within subsidence zones, and methane discharge areas to minimize the potential effects these hazards on the proposed development.

2. APPLICABLE COASTAL ACT POLICIES

The principal Coastal Act policy relative to Hazards is Section 30253. Other applicable policies include Sections 30232, 30235, and 30236 of the Coastal Act. These policies along with other applicable policies will be used to evaluate the conformance of the Hazards Section of the Coastal Element with the Coastal Act. In general Section 30253 of the Coastal Act mandates that development minimize risks to life and property in areas of high geologic, flood, and fire hazard potential. Furthermore, that development assure stability and structural integrity and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding areas, or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs or cliffs. Section 30232 requires protection against the spillage of hydrocarbon products or other hazardous substances and that effective containment and cleanup be provided should an accidental spill occur. Sections 30235 limits the placement of protective devices to protecting coastal dependent uses, to protect existing structures, and to protect existing beaches in danger of erosion provided that the project be designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Section 30237 limits the channelization of rivers and stream to three uses provided the best feasible mitigation measures are provided.

3. COASTAL ACT CONSISTENCY

The Hazard Section of the Coastal Element provides policies to assure that development be designed in such a manner that a potential hazard will have a minimal effect on the proposed development. As submitted several policies of the Hazards Section of the Coastal Element do not conform with the Section 30253 of the Coastal Act as they would allow development in hazardous areas with minimal prohibitions. Furthermore, additional policies need to be added to clarify that development should be sited and designed to avoid undertaking development in hazardous areas to the maximum extent feasible.

The Hazard Section of the Coastal Element raises one major concern with the Coastal Act. This concern relates to specifying that development should be sited and designed to avoid construction in certain hazardous locations (such as floodplains), and to avoid/minimize the use of protective devices. For example, Policy C 10.1.14, as submitted, would allow development to occur in a flood prone area provided that the development is designed to withstand the potential hazard. This policy, as submitted, is contrary to the requirements of Section 30253 of the Coastal Act that mandates that new development be constructed so as not to require the construction of a protective device. Further, while protective devices may provide some protection, there is no guarantee, over the long term, that they will work, as there is always an element of risk. Therefore, rather than permit the construction of protective devices, Section 30253 of the Coastal Act requires that applicants design and site development in such a manner that it avoids the potential hazard.

In a study titled "California's Coastal Hazards: A Critical Assessment of Existing Land-Use Policies and Practices"¹⁴ by Griggs, Pepper, and Jordan the authors note that the ongoing natural processes of cliff retreat, storm inundation, and beach erosion were either not recognized, appreciated or completely understood, or were completely ignored by many coastal builders. Thus the California coast has suffered about \$150 million in storm related damage between the years 1977 and 1992, or on average about \$10 million dollars annually. The authors go on to state that conflicts between development and hazards are increasing for several reasons: 1) progressive erosion, 2) cliff-top development which has accelerated erosion, 3) the loss or protective beach width due to the obstruction of natural sand movement, 4) increasing storms, and 5) increased coastal population leading to increased demands for development in hazardous areas. To resolve the concerns of development in hazardous areas, the authors note four potential strategies can be employed 1) do nothing and accept the loss if it occurs, 2) sell and pass the problem on, 3) move or relocate buildings, and 4) control the hazard through engineering, such as the utilization of protective structures.

Over the past fifty years, controlling the hazard through engineering solutions such as protective structures has been the most common approach. The incremental and

¹⁴ Published by the California Policy Seminar, University of California, 1992

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cumulative adverse impact on the environment resulting from protective structures is now being understood. For example flood control structures have been historically constructed to move as much untreated water as possible and as rapidly as possible to the ocean. In ocean areas containing tidal pools, the introduction of this type of water has had significant adverse effects on marine habitat. Furthermore, these facilities, by hardscaping streams, have deprived littoral cells of sand and have destroyed the habitat of the former stream bottoms. According to the Los Angeles Times¹⁵ steelhead trout have declined in southern California due to habitat degradation including the effects of pollution resulting from urban runoff. According to the Times *“Steelhead have been decimated by dams and flood-control projects that block access to spawning ground and by non-native aquatic animals that crowd out or eat young steelhead.”* Griggs, Pepper, and Jordan also note that many protective structures fail to provide adequate protection and are repeatedly replaced and in many cases enlarged. Based on the foregoing analysis the authors concluded that the State should mandate that development avoid coastal hazards.

The Los Angeles Times¹⁶ reported that coastal erosion was affecting 85% of the California’s Coastline. According to the Surfrider foundation approximately 130 miles of shoreline armoring has been constructed. The placement of rock breakwaters, concrete seawalls, and revetments has accelerated the process of coastal erosion by depriving the beaches of sand. According to the Times article, much of the natural sand replacement has stopped over the years as rivers have been dammed and growing cities have paved land which used to contribute sediment to the beaches. Beach erosion, if allowed to continue unabated, over time can adversely impact recreational use and affect the economy of the State. According to the Resources Agency, \$14 Billion a year is spent through tourism and recreational activities.

This is especially critical in floodplain areas of the coastal zone in southern California. In many cases development initially occurred near the seashore with subsequent development occurring further inland. Many streams, in the early phases of urban development were intermittent, due to intermittent nature of rain in southern California. Because the “dry” streams did not carry much water, and environmental controls were not as strict during early urbanization, development was allowed to encroach into flood plains. Overtime, the cumulative effect of these encroachments has been a constriction in the ability of streams to carry water. As time progressed, the intensity of urban development increased and moved further and further inland. As a result of the increasing hardscape the streams began to carry urban runoff on a consistent and year round basis. Then, to provide flood control protection for the development, which encroached into the floodplain, the streams were converted into flood control channels designed to carry the maximum amount of water as rapidly as possible to the sea. Moreover, many of the former streams that are now flood control channels were not designed to handle 100-year storm events, such as the East Garden Grove Wintersburg

¹⁵ May 27, 2001

¹⁶ May 23, 2001

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Channel. Unfortunately, the Coastal Element, as submitted, does not contain any policies that would prevent or even reverse this trend of development relative to floodplains. Therefore, for the reasons stated the Hazard Section of the Coastal Element, as submitted, is not in conformance with nor is it adequate to carry out the Coastal Act policies regarding the protection of marine resource and must be denied as submitted.

However, if modified through suggested modifications to address the identified deficiencies, the Hazard Section of the Coastal Element can be brought into conformance with Section 30253 of the Coastal Act regarding development in hazardous areas. To assure conformance with Section 30253 of the Coastal Act, new policies have been added and some existing policies have been modified to require that development be sited and designed to limit development in hazardous locations.

To minimize the potential of hazardous areas affection development, several policies have been modified to promote the concept of designing and siting development that avoids the hazard to the extent feasible and to include language to encourage the removal of development from floodplains so that they can be restored for purposes of habitat enhancement. Policies C 10.1.14, C 10.1.15, C 10.1.19 have been modified to avoid the use of protective devices, to avoid encroachments into the flood plain, and to remove encroachments in the flood plain including restoring the habitat.

Two new policies (C 10.1.X1 and C 10.1.X2) have been added. Policy C 10.1.X1 requires that subsidence be monitored and that it be limited through re-pressurization. Policy C 10.1.X2 requires that development on bluffs be setback a sufficient distance to be structurally safe from bluff failure for a period of seventy-five years.

Suggested modifications have been made to Policies C 10.1.9 and C 10.1.16 to ensure that the projects under these policies are carried out in conformity with the requirements of this local coastal program.

Therefore, as modified through the suggested modifications, the Commission finds that the Hazards Section of the Coastal Element is in conformance with and adequate to carry out the Coastal Act regarding development in hazardous areas.

O. INTERAGENCY COORDINATION

1. AMENDMENT TOPIC

This section of the Coastal Element provides policies that promote formal cooperation among adjacent jurisdictions and other public agencies.

2. APPLICABLE COASTAL ACT POLICIES

Interagency coordination affects all aspects of managing coastal resources. Consequently all the policies of the Coastal Act will apply in evaluating the conformance of this Interagency Coordination Section of the Coastal Element with the Coastal Act.

3. COASTAL ACT CONSISTENCY

The Interagency Coordination Section of the Coastal Element contains policies which encourages the City to work with various agencies. None of the policies affect how coastal resources are managed and therefore no Coastal Act concerns are raised. Consequently no suggested modifications have been proposed. Therefore, the Commission finds that the Interagency Coordination Section is adequate, as submitted, to carry out the policies of Chapter 3 of the Coastal Act.

P. IMPLEMENTATION PROGRAMS

1. AMENDMENT TOPIC

This section of the Coastal Element provides guidance on how the land use policies of the Coastal Element are to be implemented. As an example, this section states that the Historic and Resource policies are to be implemented through the City's Historic and Cultural Resources Element. This section, in itself, does not provide actual land use policies that are to be implemented.

2. APPLICABLE COASTAL ACT POLICIES

As the Implementation Programs Section affects all aspects of managing coastal resources, all the policies of Chapter 3 of the Coastal Act apply.

3. COASTAL ACT CONSISTENCY

Though this Implementations Programs Section of the Coastal Element does not contain the land use policies that are the subject of this Local Coastal Program Update, it does reference supplementary documents and does repeat, in some cases, policies. For example, I-C 9 (under Parking Management, see Page 152) requires that the Residential Parking Plan is to be implemented. However, Policy C 2.4.5 was modified to clarify that residential parking districts are to be prohibited if they adversely affect public parking necessary for public access to the coast. To minimize the potential that I-C 9 could be

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interpreted to still allow the implementation of a residential parking district, I-C 9 has been modified to conform to Policy C 2.4.5, as modified by the suggested modifications.

Furthermore, this component also references other documents that were not submitted with the Coastal Element Update. Consequently, these documents are not part nor are they intended to be part of the City's certified Local Coastal Program. The concern, for the Commission, is that the Implementations Program states that the programs/plans contained in these documents are to be implemented or otherwise complied with. However, these requirements are unknown to the Commission since they were not submitted to the Commission nor are they meant to be part of the Cities certified local coastal program. For example, I-C 10, states that the City will implement the projects funded by the annual Capital Improvements Program. It is conceivable that a project could be funded which would not be consistent with Coastal Element. To reduce this potential, the Implementations Program has been revised to clarify that the City can implement supplementary programs, such as the Capital Improvements Program, to the extent that the supplementary programs are consistent with the City's Local Coastal Program. This modification assures that the policies and standards of other documents not before the Commission do not have the effect of overriding this Local Coastal Program.

Other revisions to one or more policies of the Implementations Programs to assure conformance with the Coastal Act include requirements that project which affect the City's circulation system facilitate the extension of transit services (I-C 7(d)(5) as one example) and to site and design projects to avoid impacts to habitat ((I-C 8(c)(1) as one example).

Therefore, the Commission finds, for the reasons cited above that as revised, that the Implementations Programs is in conformance with and adequate to carry out the policies of Chapter 3 of the Coastal Act.

Q. GLOSSARY

1. AMENDMENT TOPIC

This section of the Coastal Element provides definitions for words and phrases that are important for understanding coastal related terminology. Examples of important definitions include: wetlands, environmentally sensitive habitat, bluff edge, and coastal dependent. This section in itself does not provide actual land use policies that are to be implemented.

2. APPLICABLE COASTAL ACT POLICIES

As the Glossary contains definitions affecting all aspects related to coastal management planning, all the policies of Chapter 3 of the Coastal Act will apply. Additionally Sections 30100 through 30122 apply as it is in these sections of the Coastal Act where many definitions contained in the Glossary are found.

3. COASTAL ACT CONSISTENCY

To assure that specialized words, such as “*buffer*”, are appropriately defined the Glossary has been revised to add definitions and revise certain definitions to bring this component of the Coastal Element into conformance with the Coastal Act. Examples of new definitions to the Glossary include: bluff edge, coastal dependent, coastal waters, development, environmentally sensitive habitat and feasible. Examples of words that have been revised include: buffer and wetland. The word buffer was revised to clarify that the purpose of the buffer is to protect an environmentally sensitive habitat area and that limited public use of the area can be allowed. The word wetland was revised to bring it into conformance with Section 3021 of the Coastal Act and to add the criteria of the U.S. Fish and Wildlife Service for defining a wetland. The definition for mitigation measure was also modified to clarify that it be consistent with the requirements of CEQA to require that projects be designed and sited to avoid, minimize or eliminate adverse impacts to the environment. The Commission finds, that as revised, that the Glossary is in conformance with and adequate to carry out the policies of Chapter 3 of the Coastal Act.

VIII. FINDINGS FOR APPROVAL OF THE CITY’S IMPLEMENTATION PROGRAM AMENDMENT, AS SUBMITTED

The Commission hereby finds and declares as follows. Below are the specific findings for approval of the City of Huntington Beach Implementation Program Amendment, as submitted.

The City’s Implementation Program currently contains forty (40) zoning district maps. Of those forty maps, twenty affect areas outside of the coastal zone. The City included these maps at the time it submitted an amendment to the Implementation Program in 1995. This amendment substantially revised the Implementation Program by replacing it with the City’s zoning and subdivision ordinance which included the forty zoning district maps. The Commission approved, with suggested modifications, the Implementation

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Program Amendment on April 12, 1996. Consequently the forty zoning district maps, which included areas outside the coastal zone, became part of the City's certified LCP.

On December 29, 1999, the City submitted an LCP amendment. One component of this amendment was to remove the twenty (20) Zoning District Maps that are outside of the coastal zone from the certified LCP. The remaining twenty maps, number 2, 3, 4, 10, 12, 14, 16, 19, 20, 21, 22, 23, 28, 29, 33, 34, 35, 36, 37, and 38 would remain as part of the City's certified LCP. These Zoning District Maps are attached as Exhibit 3.

Section 30500 of the Coastal Act requires that local governments prepare a Local Coastal Program for that portion of the coastal zone within its jurisdiction. Therefore, there is no mandate to include in a Local Coastal Program any standards or policies which solely affect portions of the City outside the coastal zone. The twenty zoning district maps that are outside the coastal zone are accordingly beyond the Commissions purview for purposes of LCP review. Furthermore, eliminating the twenty zoning district maps that are outside the coastal zone would reduce the requirement that the City submit local coastal program amendments for areas outside the coastal zone to the Commission for procedural certification. As submitted the proposed Implementation Program Amendment to the Huntington Beach Local Coastal Program is adequate to carry out the City's Land Use Plan (Coastal Element). Therefore the Commission certifies the Implementation Program Amendment, as submitted.

IX. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 21080.5 of the California Environmental Quality Act (CEQA) exempts local governments from the requirement of preparing an environmental impact report (EIR) in connection with a local coastal program (LCP). Instead, the CEQA responsibilities are assigned to the Coastal Commission. Additionally, the Commission's Local Coastal Program review and approval procedures have been found by the Resources Agency to be functionally equivalent to the environmental review process. Thus, under Section 21080.5 of CEQA, the Commission is relieved of the responsibility to prepare an environmental impact report for each local coastal program submitted for Commission review and approval. Nevertheless, the Commission is required when approving a local coastal program to find that the local coastal program does conform with the provisions of CEQA.

The Coastal Element Update has been found not to be in conformance with several Coastal Act Policies regarding public access, protection of the marine habitat, protecting environmentally sensitive habitat areas, promoting visitor serving uses, protecting visual and cultural resources, and minimizing the impact of development in hazardous locations. To resolve the concerns identified suggested modifications have been made to the City's

CEQA Consistency

Land Use Plan. Without the incorporation these suggested modification; the Coastal Element Update, as submitted, is not adequate to carry out and is not in conformity with the policies of Chapter 3 of the Coastal Act. The suggested modifications minimize or mitigate any potentially significant environmental impacts of the Land Use Plan Amendment. As modified, the Commission finds that approval of the Land Use Plan amendment will not result in significant adverse environmental impacts within the meaning of the California Environmental Quality Act.

Relative to the Implementation Program, the Commission finds that approval of the Implementation Program, as submitted, would not result in significant adverse environmental impacts under the meaning of CEQA.

Given the proposed suggested modifications, the Commission finds that the City of Huntington Beach Local Coastal Program Amendment HNB 3-99 (Coastal Element Update), as modified, will not result in significant unmitigated adverse environmental impacts under the meaning of the CEQA. Further, future individual projects will require coastal development permits issued by the City of Huntington Beach. Throughout the coastal zone, specific impacts associated with individual development projects are assessed through the coastal development permit review process; thus, an individual project's compliance with CEQA would be assured. Therefore, the Commission finds that there are no feasible alternatives within the meaning of CEQA that would reduce the potential for significant adverse environmental impacts.